40/pt.52/988

code of federal regulations

Protection of Environment

40

PART 52
Revised as of July 1, 1988

THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

AE 2.106/3:

code of federal regulations

Protection of Environment

40

PART 52

Revised as of July 1, 1988

CONTAINING
A CODIFICATION OF DOCUMENTS
OF GENERAL APPLICABILITY
AND FUTURE EFFECT

AS OF JULY 1, 1988

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Cite this Code: **CFR**

To cite the regulations in this volume use title, part and section number. Thus,* 40 CFR 52.01 *refers to Title 40, Part 52, section 01.

Explanation

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

ISSUE DATES

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16	as of January 1
Title 17 through Title 27	as of April 1
Title 28 through Title 41	as of July 1
Title 42 through Title 50	as of October 1

The appropriate revision date is printed on the cover of each volume.

LEGAL STATUS

The contents of the Federal Register are required to be judicially noticed (44 U.S.C. 1507). The Code of Federal Regulations is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

HOW TO USE THE CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations is kept up to date by the individual issues of the Federal Register. These two publications must be used together to determine the latest version of any given rule.

To determine whether a Code volume has been amended since its revision date (in this case, July 1, 1988), consult the "List of CFR Sections Affected (LSA)," which is issued monthly, and the "Cumulative List of Parts Affected," which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

EFFECTIVE AND EXPIRATION DATES

Each volume of the Code contains amendments published in the Federal Register since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the Federal Register and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the Code a note has been inserted to reflect the future effective date. In those instances where a regulation published in the Federal Register states a date certain for expiration, an appropriate note will be inserted following the text.

OMB CONTROL NUMBERS

The Paperwork Reduction Act of 1980 (Pub. L. 96-511) requires Federal agencies to display an OMB control number with their information collection request. Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

OBSOLETE PROVISIONS

Provisions that become obsolete before the revision date stated on the cover of each volume are not carried. Code users may find the text of provisions in effect on a given date in the past by using the appropriate numerical list of sections affected. For the period before January 1, 1973, consult either the List of CFR Sections Affected, 1949-1963, or 1964-1972, published in three separate volumes. For the period beginning January 1, 1973, a "List of CFR Sections Affected" is published at the end of each CFR volume.

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What is incorporation by reference? Incorporation by reference was established by statute and allows Federal agencies to meet the requirement to publish regulations in the Federal Register by referring to materials already published elsewhere. For an incorporation to be valid, the Director of the Federal Register must approve it. The legal effect of incorporation by reference is that the material is treated as if it were published in full in the Federal Register (5 U.S.C. 552(a)). This material, like any other properly issued regulation, has the force of law.

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(a) The incorporation will substantially reduce the volume of material published in the Federal Register.

(b) The matter incorporated is in fact available to the extent necessary to afford fairness and uniformity in the administrative process.

(c) The incorporating document is drafted and submitted for publication in accordance with 1 CFR Part 51.

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A subject index to the Code of Federal Regulations is contained in a separate volume, revised annually as of January 1, entitled CFR INDEX AND FINDING AIDS. This volume contains the Parallel Table of Statutory Authorities and Agency Rules (Table I), and Acts Requiring Publication in the Federal Register (Table

III). A list of CFR Titles, Chapters, and Parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of "Title 3—The President" is carried within that volume.

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There are no restrictions on the republication of material appearing in the Code of Federal Regulations.

INQUIRIES AND SALES

For a summary, legal interpretation, or other explanation of any regulation in this volume, contact the issuing agency. Inquiries concerning editing procedures and reference assistance with respect to the Code of Federal Regulations may be addressed to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, D.C. 20408 (telephone 202-523-3517). Sales are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402 (telephone 202-783-3238).

John E. Byrne,
Director,
Office of the Federal Register.

July 1, 1988.

THIS TITLE

Title 40—PROTECTION OF ENVIRONMENT is composed of twelve volumes. The parts in these volumes are arranged in the following order: Parts 1-51, Part 52, Parts 53-60, Parts 61-80, Parts 81-99, Parts 100-149, Parts 150-189, Parts 190-299, Parts 300-399, Parts 400-424, Parts 425-699 and Part 700 to end. The contents of these volumes represent all current regulations codified under this title of the CFR as of July 1, 1988.

Chapter I—Environmental Protection Agency appears in all twelve volumes. A Pesticide Tolerance Commodity/Chemical Index appears in Parts 150-189. Distribution tables appear in the volumes containing Parts 100-149 and Parts 190-299. Redesignation tables appear in the volumes containing Parts 1-51, Parts 81-99, and Part 700 to end. Regulations issued by the Council on Environmental Quality appear in the volume containing Part 700 to end.

For this volume, Beverly Fayson was Chief Editor. The Code of Federal Regulations publication program is under the direction of Martha B. Girard, assisted by Ruth C. Fontius.

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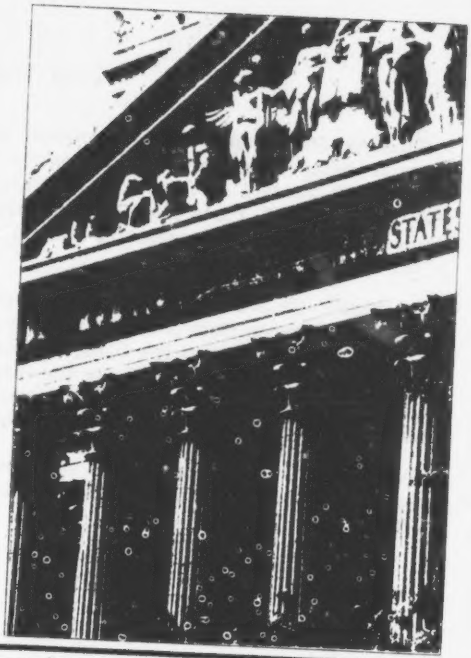

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Title 40—Protection of Environment

(This book contains Part 52)

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52.1230 Control strategy and rules: Particulates.

52.1231—52.1233 [Reserved]
52.1234 Significant deterioration of air quality.
52.1235 Extensions.
52.1236 Visibility protection.

Subpart Z—Mississippi

52.1270 Identification of plan.
52.1271 Classification of regions.
52.1272 Approval status.
52.1273 Attainment dates for national standards.
52.1274 Compliance schedules.
52.1275 Legal authority.
52.1276 Review of new sources and modifications.
52.1277 General requirements.
52.1278 [Reserved]
52.1279 Maintenance of national standards.
52.1280 Significant deterioration of air quality.

Subpart AA—Missouri

52.1320 Identification of plan.
52.1321 Classification of regions.
52.1322 [Reserved]
52.1323 Approval status.
52.1324 General requirements.
52.1325 Legal authority.
52.1326—52.1327 [Reserved]
52.1328 Review of new sources or modifications.
52.1329—52.1330 [Reserved]
52.1331 Extensions.
52.1332 Attainment dates for national standards.
52.1333—52.1334 [Reserved]
52.1335 Compliance schedules.
52.1336—52.1337 [Reserved]
52.1338 Maintenance of national standards.
52.1339 Visibility protection.

Subpart BB—Montana

52.1370 Identification of plan.
52.1371 Classification of regions.
52.1372 Approval status.
52.1373 Control strategy: Sulfur oxides.
52.1374 Review of new sources and modifications.
52.1375 Attainment dates for national standards.
52.1376 Extensions.
52.1377 [Reserved]
52.1378 General requirements.
52.1379 Legal authority.
52.1380 Control strategy: Total suspended particulates.
52.1381 Maintenance of national standards.
52.1382 Prevention of significant deterioration of air quality.
52.1383 Compliance schedules.
52.1385 Source surveillance.
52.1386 Malfunction regulations.
52.1387 Visibility protection.

Subpart CC—Nebraska

52.1420 Identification of plan.
52.1421 Classification of regions.
52.1422 Approval status.
52.1423—52.1424 [Reserved]
52.1425 Compliance schedules.
52.1426 Extensions.
52.1427—52.1430 [Reserved]
52.1431 Attainment dates for national standards.
52.1432—52.1434 [Reserved]
52.1435 Maintenance of national standards.
52.1436 Significant deterioration of air quality.

Subpart DD—Nevada

52.1470 Identification of plan.
52.1471 Classification of regions.
52.1472 Approval status.
52.1473 General requirements.
52.1474 Part D conditional approval.
52.1475 Control strategy and regulations: Sulfur oxides.
52.1476 Control strategy: Particulate matter.
52.1477 Nevada air pollution emergency plan.
52.1478 [Reserved]
52.1479 Source surveillance.
52.1480 Attainment dates for national standards.
52.1481 Extensions.
52.1482 Compliance schedules.
52.1483 Malfunction regulations.
52.1484 [Reserved]
52.1485 Significant deterioration of air quality.
52.1486 Control strategy: Hydrocarbons and ozone.
52.1487 Public hearings.
52.1488 Visibility protection.

Subpart EE—New Hampshire

52.1520 Identification of plan.
52.1521 Classification of regions.
52.1522 Approval status.
52.1523 Attainment dates for national standards.
52.1524 Compliance schedules.
52.1525 EPA-approved New Hampshire state regulations.
52.1526 General requirements.
52.1527 Rules and regulations.
52.1528 Maintenance of national standards.
52.1529 Significant deterioration of air quality.
52.1530 Extensions.
52.1531 Visibility protection.
52.1532 Stack height review.

Subpart FF—New Jersey

52.1570 Identification of plan.
52.1571 Classification of regions.
52.1572 Extensions.
52.1573 Approval status.
52.1574 General requirements.
52.1575 Legal authority.
52.1576 Control strategy: Nitrogen dioxide.
52.1577 Compliance schedules.
52.1578 Review of new sources and modifications.
52.1579 Intergovernmental cooperation.
52.1580 Attainment dates for national standards.
52.1581 [Reserved]
52.1582 Control strategy and regulations: Ozone (volatile organic substances) and carbon monoxide.
52.1583—52.1600 [Reserved]
52.1601 Control strategy and regulations: Sulfur oxides.
52.1602 Maintenance of national standards.
52.1603 Significant deterioration of air quality.
52.1604 Control strategy and regulations: Total suspended particulates.
52.1605 EPA-approved New Jersey regulations.
52.1606 Visibility protection.

Subpart GG—New Mexico

52.1620 Identification of plan.
52.1621 Classification of regions.
52.1622 Approval status.
52.1623 General requirements.
52.1624 [Reserved]
52.1625 Control strategy: Particulate matter.
52.1626 Compliance schedules.
52.1627 Control strategy and regulations: Carbon monoxide.
52.1628 Review of new sources and modifications.
52.1629 [Reserved]
52.1630 Attainment dates for national standards.
52.1631 Extensions.
52.1632—52.1633 [Reserved]
52.1634 Significant deterioration of air quality.
52.1635 Rules and regulations.
52.1636 Visibility protection.

Subpart HH—New York

52.1670 Identification of plans.
52.1671 Classification of regions.
52.1672 Extensions.
52.1673 Approval status.
52.1674 [Reserved]
52.1675 Control strategy and regulations: Sulfur oxides.
52.1676 Control strategy: Nitrogen dioxide.
52.1677 Compliance schedules.
52.1678 Control strategy and regulations: Particulate matter.
52.1679 EPA-approved New York State regulations.
52.1680 Control strategy: Monitoring and reporting.
52.1681 Control strategy: Lead.
52.1682 Attainment dates for national standards.
52.1683 Control strategy: Ozone.
52.1684—52.1687 [Reserved]
52.1688 Maintenance of national standards.
52.1689 Significant deterioration of air quality.

Subpart II—North Carolina

52.1770 Identification of plan.
52.1771 Classification of regions.
52.1772 Approval status.
52.1773 Attainment dates for national standards.
52.1774 Compliance schedules.
52.1775 Rules and regulations.
52.1776 Extensions.
52.1777 Maintenance of national standards.
52.1778 Significant deterioration of air quality.
52.1779—52.1780 [Reserved]
52.1781 Control strategy: Sulfur oxides and particulate matter.
52.1782 Visibility protection.

Subpart JJ—North Dakota

52.1820 Identification of plan.
52.1821 Classification of regions.
52.1822 Approval status.
52.1823 Attainment dates for national standards.
52.1824 Review of new sources and modifications.
52.1825—52.1826 [Reserved]
52.1827 Maintenance of national standards.
52.1828 [Reserved]
52.1829 Prevention of significant deterioration of air quality.
52.1830 Compliance schedules.
52.1831 Visibility protection.

Subpart KK—Ohio

52.1870 Identification of plan.
52.1871 Classification of regions.
52.1872 Extensions.
52.1873 Approval status.
52.1874 [Reserved]
52.1875 Attainment dates for national standards.
52.1876 [Reserved]
52.1877 Control strategy: Photochemical oxidants (hydrocarbons).
52.1878 Inspection and maintenance program.

52.1879 Review of new sources and modifications.
52.1880 Control strategy: Particulate matter.
52.1881 Control strategy: Sulfur oxides (sulfur dioxide).
52.1882 Compliance schedules.
52.1883 Maintenance of national standards.
52.1884 Significant deterioration of air quality.
52.1885 Control strategy: Ozone.
52.1886 [Reserved]
52.1887 Control strategy: Carbon monoxide.

Subpart LL—Oklahoma

52.1920 Identification of plan.
52.1921 Classification of regions.
52.1922 Approval status.
52.1923—52.1924 [Reserved]
52.1925 Attainment dates for national standards.
52.1926 General requirements.
52.1927 Maintenance of national standards.
52.1928 [Reserved]
52.1929 Significant deterioration of air quality.
52.1930 [Reserved]
52.1931 Petroleum storage tank controls.
52.1932 Control strategy and regulations: Ozone.
52.1933 Visibility protection.

Subpart MM—Oregon

52.1970 Identification of plan.
52.1971 Classification of regions.
52.1972 Approval status.
52.1973 Attainment dates for national standards.
52.1974 Transportation and land-use controls.
52.1975 Compliance schedules.
52.1976 Control strategy: Particulate matter—Portland interstate air quality control region.
52.1977—52.1980 [Reserved]
52.1981 Extension.
52.1982 Control strategy: Ozone.
52.1983—52.1984 [Reserved]
52.1985 Rules and regulations.
52.1986 Maintenance of national standards.
52.1987 Significant deterioration of air quality.
52.1988 Air contaminant discharge permits.

Subpart NN—Pennsylvania

52.2020 Identification of plan.
52.2021 Classification of regions.
52.2022 Extensions.
52.2023 Approval status.
52.2024 General requirements.
52.2025 Legal authority.
52.2026—52.2029 [Reserved]
52.2030 Source surveillance.
52.2031 Resources.
52.2032 Intergovernmental cooperation.
52.2033 Control strategy: Sulfur oxides.
52.2034 Attainment dates for national standards.
52.2035 [Reserved]
52.2036 Compliance schedules.
52.2037 Control strategy: Carbon monoxide and ozone (hydrocarbons).
52.2038 Inspection and maintenance.
52.2039 Air bleed to intake manifold retrofit.
52.2040 [Reserved]
52.2041 Study and establishment of bikeways.
52.2042 Gasoline transfer vapor control.
52.2043 Computer carpool matching system.
52.2044—52.2048 [Reserved]
52.2049 Specific express busways in Allegheny County.
52.2050 Exclusive bus lanes for Pittsburgh suburbs and outlying areas.
52.2051 Regulation for limitation of public parking.
52.2052 [Reserved]
52.2053 Monitoring transportation mode trends.
52.2054 Control of asphalt paving material.
52.2055 Review of new sources and modifications.
52.2056 Maintenance of national standards.
52.2057 [Reserved]
52.2058 Prevention of significant air quality deterioration.
52.2059 Control strategy: Particulate matter.

Subpart OO—Rhode Island

52.2070 Identification of plan.
52.2071 Classification of regions.
52.2072 Approval status.
52.2073 General requirements.
52.2074 Legal authority.
52.2075 Source surveillance.
52.2076 Attainment dates for national standards.
52.2077 Compliance schedules.
52.2078 Enforcement.
52.2079 [Reserved]
52.2080 Revisions.
52.2081 EPA-approved Rhode Island state regulations.
52.2082 Maintenance of national standards.
52.2083 Significant deterioration of air quality.
52.2084 Rules and regulations.
52.2085 Stack height review.

Subpart PP—South Carolina

52.2120 Identification of plan.
52.2121 Classification of regions.
52.2122 Approval status.
52.2123 Compliance schedules.
52.2124 Legal authority.
52.2125 Review of new sources and modifications.
52.2126 [Reserved]
52.2127 Extensions.
52.2128 Attainment dates for national standards.
52.2129 Maintenance of national standards.
52.2130 [Reserved]
52.2131 Significant deterioration of air quality.
52.2132 Visibility protection.

Subpart QQ—South Dakota

52.2170 Identification of plan.
52.2171 Classification of regions.
52.2172 Approval status.
52.2173 Legal authority.
52.2174 Attainment dates for national standards.
52.2175 [Reserved]
52.2176 Maintenance of national standards.
52.2177 [Reserved]
52.2178 Significant deterioration of air quality.
52.2179 Visibility protection.

Subpart RR—Tennessee

52.2220 Identification of plan.
52.2221 Classification of regions.
52.2222 Approval status.
52.2223 Compliance schedules.
52.2224 Legal authority.
52.2225 Control strategy: Carbon monoxide and ozone.
52.2226 Extensions.
52.2227 Prevention of air pollution emergency episodes.
52.2228 Review of new sources and modifications.
52.2229 [Reserved]
52.2230 Attainment dates for national standards.
52.2231 Control strategy: Sulfur oxides and particulate matter.
52.2232 Maintenance of national standards.
52.2233 Significant deterioration of air quality.
52.2234 Visibility protection.

Subpart SS—Texas

52.2270 Identification of plan.
52.2271 Classification of regions.
52.2272 Extensions.
52.2273 Approval status.
52.2274 General requirements.
52.2275 Control strategy and regulations: Ozone.
52.2276 Control strategy and regulations: Particulate matter.
52.2277—52.2278 [Reserved]
52.2279 Attainment dates for national standards.
52.2280—52.2281 [Reserved]
52.2282 Public hearings.
52.2283—52.2284 [Reserved]
52.2285 Control of evaporative losses from the filling of gasoline storage vessels in the Houston and San Antonio areas.
52.2286 Control of evaporative losses from the filling of gasoline storage vessels in the Dallas-Fort Worth area.
52.2287—52.2293 [Reserved]
52.2294 Incentive program to reduce vehicle emissions through increased bus and carpool use.
52.2295 [Reserved]
52.2296 Carpool matching and promotion system.
52.2297 Employer mass transit and carpool incentive program.
52.2298 Monitoring transportation mode trends.
52.2299—52.2301 [Reserved]
52.2302 Maintenance of national standards.
52.2303 Significant deterioration of air quality.
52.2304 Visibility protection.
52.2305 Lead control plan: Federal compliance date for requirements of Texas Air Control Board (TACB) Rule 113.53.

Subpart TT—Utah

52.2320 Identification of plan.
52.2321 Classification of regions.
52.2322 Extensions.
52.2323 Approval status.
52.2324—52.2330 [Reserved]
52.2331 Attainment dates for national standards.
52.2332 [Reserved]
52.2333 Legal authority.
52.2334—52.2344 [Reserved]
52.2345 Maintenance of national standards.
52.2346 Significant deterioration of air quality.
52.2347 Visibility protection.

Subpart UU—Vermont

52.2370 Identification of plan.
52.2371 Classification of regions.
52.2372 Approval status.
52.2373 Legal authority.
52.2374 General requirements.
52.2375 Attainment dates for national standards.
52.2376 Compliance schedules.

52.2377 Review of new sources and modifications.
52.2378 Certification of no facilities.
52.2379 Maintenance of national standards.
52.2380 Significant deterioration of air quality.
52.2381 EPA-approved Vermont state regulations.
52.2382 Rules and regulations.
52.2383 Visibility protection.
52.2384 Stack height review.

Subpart VV—Virginia

52.2420 Identification of plan.
52.2421 Classification of regions.
52.2422 Extensions.
52.2423 Approval status.
52.2424 General requirements.
52.2425—52.2426 [Reserved]
52.2427 Source surveillance.
52.2428 Request for 2-year extensions.
52.2429 Attainment dates for national standards.
52.2430 Legal authority.
52.2431 Control strategy: Carbon monoxide and ozone.
52.2432 [Reserved]
52.2433 Intergovernmental cooperation.
52.2434 [Reserved]
52.2435 Compliance schedules.
52.2436 Rules and regulations.
52.2437 [Reserved]
52.2438 Gasoline transfer vapor control.
52.2439 Control of evaporative losses from the filling of vehicular tanks.
52.2440 Control of dry cleaning solvent evaporation.
52.2441—52.2447 [Reserved]
52.2448 Review of new sources and modifications.
52.2449 Maintenance of national standards.
52.2450 [Reserved]
52.2451 Significant deterioration of air quality.
52.2452 Visibility protection.

Subpart WW—Washington

52.2470 Identification plan.
52.2471 Classification of regions.
52.2472 Extensions.
52.2473 Approval status.
52.2474 General requirements.
52.2475 Legal authority.
52.2476 [Reserved]
52.2477 Source surveillance.
52.2478 Attainment dates for national standards.
52.2479 Rules and regulations.
52.2480 [Reserved]
52.2481 Compliance schedules.
52.2482 [Reserved]
52.2483 Resources.
52.2484 [Reserved]
52.2485 Inspection and maintenance program.
52.2486 Management of parking supply.
52.2487—52.2488 [Reserved]
52.2489 Reduction in parking spaces.
52.2490 Air bleed to intake manifold retrofit.
52.2491 Exhaust gas recirculation-air bleed.
52.2492 Computer carpool matching system.
52.2493 Transit improvement measures.
52.2494 Bike lanes and bike racks.
52.2495 [Reserved]
52.2496 Maintenance of national standards.
52.2497 Significant deterioration of air quality.
52.2498 Visibility protection.

Subpart XX—West Virginia

52.2520 Identification of plan.
52.2521 Classification of regions.
52.2522 Approval status.
52.2523 Attainment dates for national standards.
52.2524 Compliance schedules.
52.2525 Control strategy: Sulfur dioxide.
52.2526 Maintenance of national standards.
52.2527 [Reserved]
52.2528 Significant deterioration of air quality.
52.2529—52.2530 [Reserved]
52.2531 Control strategy: (Hydrocarbons).
52.2532 Control strategy: Particulate matter.
52.2533 Visibility protection.

Subpart YY—Wisconsin

52.2570 Identification of plan.
52.2571 Classification of regions.
52.2572 Approval status.
52.2573 General requirements.
52.2574 Legal authority.
52.2575 Control strategy: Sulfur dioxide.
52.2576 [Reserved]
52.2577 Attainment dates for national standards.
52.2578 Compliance schedules.
52.2579 Review of new sources and modifications.
52.2580 Maintenance of national standards.
52.2581 Significant deterioration of air quality.
52.2582 Extensions.
52.2583 [Reserved]
52.2584 Control strategy; Particulate matter.

Subpart ZZ—Wyoming

52.2620 Identification of plan.
52.2621 Classification of regions.

52.2622 Approval status.
52.2623 Review of new sources and modifications.
52.2624 [Reserved]
52.2625 Compliance schedules.
52.2626 [Reserved]
52.2627 Attainment dates for national standards.
52.2628—52.2629 [Reserved]
52.2630 Prevention of significant deterioration of air quality.
52.2631 Maintenance of national standards.
52.2632 Visibility protection.

Subpart AAA—Guam

52.2670 Identification of plan.
52.2671 Classification of regions.
52.2672 Approval status.
52.2673 Attainment dates for national standards.
52.2674 Maintenance of national standards.
52.2675 [Reserved]
52.2676 Significant deterioration of air quality.
52.2677 [Reserved]
52.2678 Control strategy and regulations: Particulate matter.
52.2679 Control strategy and regulations: Sulfur dioxide.
52.2680—52.2681 [Reserved]
52.2682 Air quality surveillance.
52.2683 [Reserved]
52.2684 Source surveillance.
52.2685 [Reserved]
52.2686 Upset-breakdown reporting.

Subpart BBB—Puerto Rico

52.2720 Identification of plan.
52.2721 Classification of regions.
52.2722 Approval status.
52.2723 Attainment dates for national standards.
52.2724 Review of new sources and modifications.
52.2725 General requirements.
52.2726 Legal authority.
52.2727 [Reserved]
52.2728 Maintenance of national standards.
52.2729 Significant deterioration of air quality.
52.2730 Compliance schedules.
52.2731 Control strategy and regulations: Sulfur oxides.

Subpart CCC—Virgin Islands

52.2770 Identification of plan.
52.2771 Classification of regions.
52.2772 Approval status.
52.2773 EPA-approved Virgin Islands regulations.
52.2774 [Reserved]
52.2775 Review of new sources and modifications.
52.2776 Attainment dates for national standards.
52.2777 [Reserved]
52.2778 Maintenance of national standards.
52.2779 Significant deterioration of air quality.
52.2780 Control strategy for sulfur oxides.
52.2781 Visibility protection.

Subpart DDD—American Samoa

52.2820 Identification of plan.
52.2821 Classification of regions.
52.2822 Approval status.
52.2823 Attainment dates for national standards.
52.2824 Review of new sources and modifications.
52.2825 [Reserved]
52.2826 Maintenance of national standards.
52.2827 Significant deterioration of air quality.

Subpart EEE—Approval and Promulgation of Plans

52.2850 Approval and promulgation of implementation plans.

Subpart FFF—Commonwealth of the Northern Mariana Islands

52.2900 Negative declaration.
52.2920 Identification of plan.
APPENDIX A—INTERPRETIVE RULINGS FOR § 52.22(b)—REGULATION FOR REVIEW OF NEW OR MODIFIED INDIRECT SOURCES
APPENDICES B-C—[RESERVED]
APPENDIX D—DETERMINATION OF SULFUR DIOXIDE EMISSIONS FROM STATIONARY SOURCES BY CONTINUOUS MONITORS
APPENDIX E—PERFORMANCE SPECIFICATIONS AND SPECIFICATION TEST PROCEDURES FOR MONITORING SYSTEMS FOR EFFLUENT STREAM GAS VOLUMETRIC FLOW RATE

AUTHORITY: 42 U.S.C. 7401-7642.

Subpart A—General Provisions

SOURCE: 37 FR 10846, May 31, 1972, unless otherwise noted.

§ 52.01 Definitions.

All terms used in this part but not defined herein shall have the meaning given them in the Clean Air Act and in Parts 51 and 60 of this chapter.

(a) The term "stationary source" means any building, structure, facility, or installation which emits or may emit an air pollutant for which a national standard is in effect.

(b) The term "commenced" means that an owner or operator has undertaken a continuous program of construction or modification.

(c) The term "construction" means fabrication, erection, or installation.

(d) The phrases "modification" or "modified source" mean any physical change in, or change in the method of operation of, a stationary source which increases the emission rate of any pollutant for which a national standard has been promulgated under Part 50 of this chapter or which results in the emission of any such pollutant not previously emitted, except that:

(1) Routine maintenance, repair, and replacement shall not be considered a physical change, and

(2) The following shall not be considered a change in the method of operation:

(i) An increase in the production rate, if such increase does not exceed the operating design capacity of the source;

(ii) An increase in the hours of operation;

(iii) Use of an alternative fuel or raw material, if prior to the effective date of a paragraph in this part which imposes conditions on or limits modifications, the source is designed to accommodate such alternative use.

(e) The term "startup" means the setting in operation of a source for any purpose.

(f) [Reserved]

(g) The term "heat input" means the total gross calorific value (where gross calorific value is measured by ASTM Method D2015-66, D240-64, or D1826-64) of all fuels burned.

(h) The term "total rated capacity" means the sum of the rated capacities of all fuel-burning equipment connected to a common stack. The rated capacity shall be the maximum guaranteed by the equipment manufacturer or the maximum normally achieved during use, whichever is greater.

[37 FR 19807, Sept. 22, 1972, as amended at 38 FR 12698, May 14, 1973; 39 FR 42514, Dec. 5, 1974; 43 FR 26410, June 19, 1978]

§ 52.02 Introduction.

(a) This part sets forth the Administrator's approval and disapproval of State plans and the Administrator's promulgation of such plans or portions thereof. Approval of a plan or any portion thereof is based upon a determination by the Administrator that such plan or portion meets the requirements of section 110 of the Act and the provisions of Part 51 of this chapter.

(b) Any plan or portion thereof promulgated by the Administrator substitutes for a State plan or portion thereof disapproved by the Administrator or not submitted by a State, or supplements a State plan or portion thereof. The promulgated provisions, together with any portions of a State plan approved by the Administrator, constitute the applicable plan for purposes of the Act.

(c) Where nonregulatory provisions of a plan are disapproved, the disapproval is noted in this part and a detailed evaluation is provided to the State, but no substitute provisions are promulgated by the Administrator.

(d) All approved plans and plan revisions listed in Subparts B through DDD of this part and on file at the Office of the Federal Register are approved for incorporation by reference by the Director of the Federal Register. Notice of amendments to the plans will be published in the FEDERAL REGISTER. The plans and plan revisions are available for inspection at the Office of the Federal Register, 1100 L Street, N.W., Washington, D.C. In addition, the plans and plan revisions are available at the following locations:

(1) Public Information Reference Unit, EPA, 401 M Street, S.W., Washington, D.C. 20460.

(2) National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22151 (individual State compilations and revisions approved through August 31, 1981).

(3) The appropriate EPA Regional Office as listed below:

(i) Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
J.F.K. Federal Building, Boston, MA 02203

(ii) New York, New Jersey, Puerto Rico, Virgin Islands
Federal Office Building, 26 Federal Plaza, New York, NY 10278
(iii) Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia
Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19106
(iv) Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
345 Courtland, N.E., Atlanta, GA 30365
(v) Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
230 South Dearborn Street, Chicago, IL 60604
(vi) Arkansas, Louisiana, New Mexico, Oklahoma, Texas
First International Building, 1201 Elm Street, Dallas TX 75270
(vii) Iowa, Kansas, Missouri, Nebraska
324 East 11th Street, Kansas City, MO 64106
(viii) Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
1860 Lincoln Street, Denver, CO 80295
(ix) Arizona, California, Hawaii, Nevada, Guam, American Samoa
215 Fremont Street, San Francisco, CA 94105
(x) Washington, Oregon, Idaho, Alaska
1200 6th Avenue, Seattle, WA 98101

(e) Each State's plan is dealt with in a separate subpart, which includes an introductory section identifying the plan by name and the date of its submittal, a section classifying regions, and a section setting forth dates for attainment of the national standards. Additional sections are included as necessary to specifically identify disapproved provisions, to set forth reasons for disapproval, and to set forth provisions of the plan promulgated by the Administrator. Except as otherwise specified, all supplemental information submitted to the Administrator with respect to any plan has been submitted by the Governor of the State.

(f) Revisions to applicable plans will be included in this part when approved or promulgated by the Administrator.

[37 FR 10846, May 31, 1972, as amended at 37 FR 15080, July 27, 1972; 47 FR 38886, Sept. 3, 1982]

§ 52.03 Extensions.

Each subpart includes the Administrator's determination with respect to any request under section 110(b) of the Act for an extension of the deadline for submitting that portion of a plan which implements a secondary standard or any request under section 110(e) of the Act for an extension of the 3-year deadline for attainment of a primary standard.

§ 52.04 Classification of regions.

Each subpart sets forth the priority classification, by pollutant, for each region in the State. Each plan for each region was evaluated according to the requirements of Part 51 of this chapter applicable to regions of that priority.

§ 52.05 Public availability of emission data.

Each subpart sets forth the Administrator's disapproval of plan procedures for making emission data available to the public after correlation with applicable emission limitations, and includes the promulgation of requirements that sources report emission data to the Administrator for correlation and public disclosure.

§ 52.06 Legal authority.

(a) The Administrator's determination of the absence or inadequacy of legal authority required to be included in the plan is set forth in each subpart. This includes the legal authority of local agencies and State governmental agencies other than an air pollution control agency if such other agencies are assigned responsibility for carrying out a plan or portion thereof.

(b) No legal authority as such is promulgated by the Administrator. Where required regulatory provisions are not included in the plan by the State because of inadequate legal authority, substitute provisions are promulgated by the Administrator.

(c) Where a State plan did not clearly set forth a timetable for obtaining legal authority to establish transportation and land-use controls necessary to attain or maintain the national standards, the subpart sets forth a timetable for the acquisition of such authority and the adoption of the necessary control measures. The State's failure to comply with the timetable set forth in the subpart will be grounds for promulgation of the required measures by the Administrator.

§ 52.07 Control strategies.

(a) Each subpart specifies in what respects the control strategies are approved or disapproved. Where emission limitations with a future effective date are employed to carry out a control strategy, approval of the control strategy and the implementing regulations does not supersede the requirements of Subpart N of this chapter relating to compliance schedules for individual sources or categories of sources. Compliance schedules for individual sources or categories of sources must require such sources to comply with applicable requirements of the plan as expeditiously as practicable, where the requirement is part of a control strategy designed to attain a primary standard, or within a reasonable time, where the requirement is part of a control strategy designed to attain a secondary standard. All sources must be required to comply with applicable requirements of the plan no later than the date specified in this part for attainment of the national standard which the requirement is intended to implement.

(b) A control strategy may be disapproved as inadequate because it is not sufficiently comprehensive, although all regulations provided to carry out the strategy may themselves be approved. In this case, regulations for carrying out necessary additional measures are promulgated in the subpart.

(c) Where a control strategy is adequate to attain and maintain a national standard but one or more of the regulations to carry it out is not adopted or not enforceable by the State, the control strategy is approved and the necessary regulations are promulgated by the Administrator.

(d) Where a control strategy is adequate to attain and maintain air quality better than that provided for by a national standard but one or more of the regulations to carry it out is not adopted or not enforceable by the State, the control strategy is approved and substitute regulations necessary to attain and maintain the national standard are promulgated.

[37 FR 10846, May 31, 1972, as amended at 37 FR 19807, Sept. 22, 1972; 51 FR 40676, Nov. 7, 1986]

§ 52.08 Rules and regulations.

Each subpart identifies the regulations, including emission limitations, which are disapproved by the Administrator, and includes the regulations which the Administrator promulgates.

§ 52.09 Compliance schedules.

(a) In each subpart, compliance schedules disapproved by the Administrator are identified, and compliance schedules promulgated by the Administrator are set forth.

(b) Individual source compliance schedules submitted with certain plans have not yet been evaluated, and are not approved or disapproved.

(c) The Administrator's approval or promulgation of any compliance schedule shall not affect the responsibility of the owner or operator to comply with any applicable emission limitation on and after the date for final compliance specified in the applicable schedule.

[37 FR 10846, May 31, 1972, as amended at 38 FR 30877, Nov. 8, 1973]

§ 52.10 Review of new sources and modifications.

In any plan where the review procedure for new sources and source modifications does not meet the requirements of Subpart I of this chapter, provisions are promulgated which enable the Administrator to obtain the necessary information and to prevent construction or modification.

[37 FR 10846, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.11 Prevention of air pollution emergency episodes.

(a) Each subpart identifies portions of the air pollution emergency episode contingency plan which are disapproved, and sets forth the Administrator's promulgation of substitute provisions.

(b) No provisions are promulgated to replace any disapproved air quality monitoring or communications portions of a contingency plan, but detailed critiques of such portions are provided to the State.

(c) Where a State plan does not provide for public announcement regarding air pollution emergency episodes or where the State fails to give any such public announcement, the Administrator will issue a public announcement that an episode stage has been reached. When making such an announcement, the Administrator will be guided by the suggested episode criteria and emission control actions suggested in Appendix L of Part 51 of this chapter or those in the approved plan.

[37 FR 10846, May 31, 1972, as amended at 37 FR 19807, Sept. 22, 1972]

§ 52.12 Source surveillance.

(a) Each subpart identifies the plan provisions for source surveillance which are disapproved, and sets forth the Administrator's promulgation of necessary provisions for requiring sources to maintain records, make reports, and submit information.

(b) No provisions are promulgated for any disapproved State or local agency procedures for testing, inspection, investigation, or detection, but detailed critiques of such portions are provided to the State.

(c) For purpose of Federal enforcement, the following test procedures shall be used:

(1) Sources subject to plan provisions which do not specify a test procedure and sources subject to provisions promulgated by the Administrator will be tested by means of the appropriate procedures and methods prescribed in Part 60 of this chapter; unless otherwise specified in this part.

(2) Sources subject to approved provisions of a plan wherein a test procedure is specified will be tested by the specified procedure.

[37 FR 10846, May 31, 1972, as amended at 40 FR 26032, June 20, 1975]

§ 52.13 Air quality surveillance; resources; intergovernmental cooperation.

Disapproved portions of the plan related to the air quality surveillance system, resources, and intergovernmental cooperation are identified in each subpart, and detailed critiques of such portions are provided to the State. No provisions are promulgated by the Administrator.

§ 52.14 State ambient air quality standards.

Any ambient air quality standard submitted with a plan which is less stringent than a national standard is not considered part of the plan.

§ 52.15 Public availability of plans.

Each State shall make available for public inspection at least one copy of the plan in at least one city in each region to which such plan is applicable. All such copies shall be kept current.

§ 52.16 Submission to Administrator.

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Enforcement Division. The Regional Offices are as follows:

Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), John F. Kennedy Federal Building, Boston, Mass. 02203.

Region II (New York, New Jersey, Puerto Rico, Virgin Islands) Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10007.

Region III (Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia) Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19106.

Region IV (Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee) Suite 300, 1421 Peachtree Street, Atlanta, GA 30309.

Region V (Illinois, Indiana, Minnesota, Ohio, Wisconsin) Federal Building, 230 South Dearborn, Chicago, Illinois 60606.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas) 1600 Paterson Street, Dallas, TX 75201.

Region VII (Iowa, Kansas, Missouri, Nebraska) 1735 Baltimore Street, Kansas City, MO 64108.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) 916 Lincoln Towers, 1860 Lincoln Street, Denver, CO 80203.

Region IX (Arizona, California, Hawaii, Nevada, Guam, American Samoa) 100

California Street, San Francisco, CA 94111.
Region X (Washington, Oregon, Idaho, Alaska) 1200 Sixth Avenue, Seattle, WA 98101.

[37 FR 19808, Sept. 22, 1972, as amended at 39 FR 37987, Oct. 25, 1974]

§ 52.17 Severability of provisions.

The provisions promulgated in this part and the various applications thereof are distinct and severable. If any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of such provision to other persons or circumstances which can be given effect without the invalid provision or application.

[37 FR 19808, Sept. 22, 1972]

§ 52.18 Abbreviations.

Abbreviations used in this part shall be those set forth in Part 60 of this chapter.

[38 FR 12698, May 14, 1973]

§ 52.19 Revision of plans by Administrator.

After notice and opportunity for hearing in each affected State, the Administrator may revise any provision of an applicable plan, including but not limited to provisions specifying compliance schedules, emission limitations, and dates for attainment of national standards; if:

(a) The provision was promulgated by the Administrator, and

(b) The plan, as revised, will be consistent with the act and with the requirements applicable to implementation plans under Part 51 of this chapter.

[38 FR 12698, May 14, 1973]

§ 52.20 Attainment dates for national standards.

Each subpart contains a section which specifies the latest dates by which national standards are to be attained in each region in the State. An attainment date which only refers to a month and a year (such as July 1975) shall be construed to mean the last day of the month in question. However, the specification of attainment dates for national standards does not relieve any State from the provisions of Subpart N of this chapter which require all sources and categories of sources to comply with applicable requirements of the plan—

(a) As expeditiously as practicable where the requirement is part of a control strategy designed to attain a primary standard, and

(b) Within a reasonable time where the requirement is part of a control strategy designed to attain a secondary standard.

[37 FR 19808, Sept. 22, 1972, as amended at 39 FR 34535, Sept. 26, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.21 Prevention of significant deterioration of air quality.

(a) *Plan disapproval.* The provisions of this section are applicable to any State implementation plan which has been disapproved with respect to prevention of significant deterioration of air quality in any portion of any State where the existing air quality is better than the national ambient air quality standards. Specific disapprovals are listed where applicable, in Subparts B through DDD of this part. The provisions of this section have been incorporated by reference into the applicable implementation plans for various States, as provided in Subparts B through DDD of this part. Where this section is so incorporated, the provisions shall also be applicable to all lands owned by the Federal Goverment and Indian Reservations located in such State. No disapproval with respect to a State's failure to prevent significant deterioration of air quality shall invalidate or otherwise affect the obligations of States, emission sources, or other persons with respect to all portions of plans approved or promulgated under this part.

(b) *Definitions.* For the purposes of this section:

(1)(i) "Major stationary source" means:

(*a*) Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Act: Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;

(*b*) Notwithstanding the stationary source size specified in paragraph (b)(1)(i) of this section, any stationary source which emits, or has the potential to emit, 250 tons per year or more of any air pollutant subject to regulation under the Act; or

(*c*) Any physical change that would occur at a stationary source not otherwise qualifying under paragraph (b)(1) of this section, as a major stationary source, if the changes would constitute a major stationary source by itself.

(ii) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this section whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

(*a*) Coal cleaning plants (with thermal dryers);

(*b*) Kraft pulp mills;

(*c*) Portland cement plants;

(*d*) Primary zinc smelters;

(*e*) Iron and steel mills;

(*f*) Primary aluminum ore reduction plants;

(*g*) Primary copper smelters;

(*h*) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(*i*) Hydrofluoric, sulfuric, or nitric acid plants;

(*j*) Petroleum refineries;

(*k*) Lime plants;

(*l*) Phosphate rock processing plants;

(*m*) Coke oven batteries;

(*n*) Sulfur recovery plants;

(*o*) Carbon black plants (furnace process);

(*p*) Primary lead smelters;

(*q*) Fuel conversion plants;

(*r*) Sintering plants;

(*s*) Secondary metal production plants;

(*t*) Chemical process plants;

(*u*) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(*v*) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(*w*) Taconite ore processing plants;

(*x*) Glass fiber processing plants;

(*y*) Charcoal production plants;

(*z*) Fossil fuel-fired steam electric plants of more that 250 million British thermal units per hour heat input." and

(*aa*) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

(2)(i) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(ii) Any net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include:

(*a*) Routine maintenance, repair and replacement;

(*b*) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plant pursuant to the Federal Power Act;

(*c*) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(*d*) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(*e*) Use of an alternative fuel or raw material by a stationary source which:

(*1*) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or 40 CFR 51.166; or

(*2*) The source is approved to use under any permit issued under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166;

(*f*) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or 40 CFR 51.166.

(*g*) Any change in ownership at a stationary source.

(3)(i) "Net emissions increase" means the amount by which the sum of the following exceeds zero:

(*a*) Any increase in actual emissions from a particular physical change or change in method of operation at a stationary source; and

(*b*) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:

(*a*) The date five years before construction on the particular change commences; and

(*b*) The date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source under this section, which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase or decrease in actual emissions of sulfur dioxide or particulate matter which occurs before the applicable baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.

(v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(vi) A decrease in actual emissions is creditable only to the extent that:

(*a*) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(*b*) It is federally enforceable at and after the time that actual construction on the particular change begins; and

(*c*) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vii) [Reserved]

(viii) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(4) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(5) "Stationary source" means any building, structure, facility, or installa-

tion which emits or may emit any air pollutant subject to regulation under the Act.

(6) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same first two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement (U. S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0, respectively).

(7) "Emissions unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Act.

(8) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification of an emissions unit) which would result in a change in actual emissions.

(9) "Commence" as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and either has:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(ii) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(10) "Necessary preconstruction approvals or permits" means those permits or approvals required under federal air quality control laws and regulations and those air quality control laws and regulations which are part of the applicable State Implementation Plan.

(11) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipework and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activites other than preparatory activities which mark the initiation of the change.

(12) "Best available control technology" means an emissions limitation (including a visible emission standard) based on the maximum degree of reduction for each pollutant subject to regulation under Act which would be emitted from any proposed major stationary source or major modification which the Administrator, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60 and 61. If the Administrator determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

(13)(i) "Baseline concentration" means that ambient concentration level which exists in the baseline area at the time of the applicable baseline date. A baseline concentration is determined for each pollutant for which a baseline date is established and shall include:

(*a*) The actual emissions representative of sources in existence on the applicable baseline date, except as provided in paragraph (b)(13)(ii) of this section;

(*b*) The allowable emissions of major stationary sources which commenced construction before January 6, 1975, but were not in operation by the applicable baseline date.

(ii) The following will not be included in the baseline concentration and will affect the applicable maximum allowable increase(s):

(*a*) Actual emissions from any major stationary source on which construction commenced after January 6, 1975; and

(*b*) Actual emissions increases and decreases at any stationary source occurring after the baseline date.

(14)(i) "Baseline date" means the earliest date after August 7, 1977, on which the first complete application under 40 CFR 52.21 is submitted by a major stationary source or major modification subject to the requirements of 40 CFR 52.21.

(ii) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(*a*) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i) (D) or (E) of the Act for the pollutant on the date of its complete application under 40 CFR 52.21; and

(*b*) In the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(15)(i) "Baseline area" means any intrastate area (and every part thereof) designated as attainment or unclassifiable under section 107(d)(1) (D) or (E) of the Act in which the major source or major modification establishing the baseline date would construct or would have an air quality impact equal to or greater than 1 $\mu g/m^3$ (annual average) of the pollutant for which the baseline date is established.

(ii) Area redesignations under section 107(d)(1) (D) or (E) of the Act cannot intersect or be smaller than the area of impact of any mjaor stationary source or major modification which:

(*a*) Establishes a baseline date; or

(*b*) Is subject to 40 CFR 52.21 and would be constructed in the same state as the state proposing the redesignation.

(16) "Allowable emissions" means the emissions rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(i) The applicable standards as set forth in 40 CFR Parts 60 and 61;

(ii) The applicable State Implemenation Plan emissions limitation, including those with a future compliance date; or

(iii) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

(17) "Federally enforceable" means all limitations and conditions which are enforceable by the Administrator, including those requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirements established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I and 40 CFR 51.166.

(18) "Secondary emissions" means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come di-

rectly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(i) Emissions from ships or trains coming to or from the new or modified stationary source; and

(ii) Emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification.

(19) "Innovative control technology" means any system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or nonair quality environmental impacts.

(20) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(21)(i) "Actual emissions" means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (b)(21)(ii) through (iv) of this section.

(ii) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The Administrator shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(iii) The Administrator may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(iv) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(22) "Complete" means, in reference to an application for a permit, that the application contains all of the information necessary for processing the application.

(23) (i) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Pollutant and Emissions Rate

Carbon monoxide: 100 tons per year (tpy)
Nitrogen oxides: 40 tpy
Sulfur dioxide: 40 tpy
Particulate matter:
  25 tpy of particulate matter emissions;
  15 tpy of PM_{10} emissions
Ozone: 40 tpy of volatile organic compounds
Lead: 0.6 tpy
Asbestos: 0.007 tpy
Beryllium: 0.0004 tpy
Mercury: 0.1 tpy
Vinyl chloride: 1 tpy
Fluorides: 3 tpy
Sulfuric acid mist: 7 tpy
Hydrogen sulfide (H_2S): 10 tpy
Total reduced sulfur (including H_2S): 10 tpy
Reduced sulfur compounds (including H_2S): 10 tpy

(ii) "Significant" means, in reference to a net emissions increase or the potential of a source to emit a pollutant subject to regulation under the Act that paragraph (b)(23)(i) of this section, does not list, any emissions rate.

(iii) Notwithstanding paragraph (b)(23)(i) of this section, "significant" means any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within 10 kilometers of a Class I area, and have an impact on such area equal to or greater than 1 $\mu g/m^3$, (24-hour average).

(24) "Federal Land Manager" means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

(25) "High terrain" means any area having an elevation 900 feet or more above the base of the stack of a source.

(26) "Low terrain" means any area other than high terrain.

(27) "Indian Reservation" means any federally recognized reservation

established by Treaty, Agreement, executive order, or act of Congress.

(28) "Indian Governing Body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self government.

(29) "Adverse impact on visibility" means visibility impairment which interferes with the management, protection, preservation or enjoyment of the visitor's visual experience of the Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency and time of visibility impairment, and how these factors correlate with (1) times of visitor use of the Federal Class I area, and (2) the frequency and timing of natural conditions that reduce visibility.

(c) *Ambient air increments.* In areas designated as Class I, II or III, increases in pollutant concentration over the baseline concentration shall be limited to the following:

MAXIMUM ALLOWABLE INCREASE

Pollutant	Micrograms per cubic meter
CLASS I	
Particulate matter:	
TSP, annual geometric mean	5
TSP, 24-hr. maximum	10
Sulfur dioxide:	
Annual arithmetic mean	2
24-h maxdum	5
3-h maximum	25
CLASS II	
Particulate matter:	
TSP, annual geometric mean	19
TSP, 24-hr. maximum	37
Sulfur dioxide:	
Annual arithmetic mean	20
24-h maximum	91
3-h maximum	512
CLASS III	
Particulate matter:	
TSP, annual geometric mean	37
TSP, 24-hr. maximum	75
Sulfur dioxide:	
Annual arithmetic mean	40
24-h maximum	182
3-h maximum	700

For any period other than an annual period, the applicable maximum allowable increase may be exceeded during one such period per year at any one location.

(d) *Ambient air ceilings.* No concentration of a pollutant shall exceed:

(1) The concentration permitted under the national secondary ambient air quality standard, or

(2) The concentration permitted under the national primary ambient air quality standard, whichever concentration is lowest for the pollutant for a period of exposure.

(e) *Restrictions on area classifications.* (1) All of the following areas which were in existence on August 7, 1977, shall be Class I areas and may not be redesignated:

(i) International parks,

(ii) National wilderness areas which exceed 5,000 acres in size,

(iii) National memorial parks which exceed 5,000 acres in size, and

(iv) National parks which exceed 6,000 acres in size.

(2) Areas which were redesignated as Class I under regulations promulgated before August 7, 1977, shall remain Class I, but may be redesignated as provided in this section.

(3) Any other area, unless otherwise specified in the legislation creating such an area, is initially designated Class II, but may be redesignated as provided in this section.

(4) The following areas may be redesignated only as Class I or II:

(i) An area which as of August 7, 1977, exceeded 10,000 acres in size and was a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore; and

(ii) A national park or national wilderness area established after August

7, 1977, which exceeds 10,000 acres in size.

(f) *Exclusions from increment consumption.* (1) Upon written request of the governor, made after notice and opportunity for at least one public hearing to be held in accordance with procedures established in 40 CFR 51.102, the Administrator shall exclude the following concentrations in determining compliance with a maximum allowable increase:

(i) Concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;

(ii) Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;

(iii) Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources;

(iv) The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and

(v) Concentrations attributable to the temporary increase in emissions of sulfur dioxide or particulate matter from stationary sources which are affected by plan revisions approved by the Administrator as meeting the criteria specified in paragraph (f)(4) of this section.

(2) No exclusion of such concentrations shall apply more than five years after the effective date of the order to which paragraph (f)(1)(i) of this section, refers or the plan to which paragraph (f)(1)(ii) of this section, refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five years after the later of such effective dates.

(3) No exclusion under paragraph (f) of this section shall occur later than 9 months after August 7, 1980, unless a State Implementation Plan revision meeting the requirements of 40 CFR 51.166 has been submitted to the Administrator.

(4) For purposes of excluding concentrations pursuant to paragraph (f)(1)(v) of this section, the proposed plan revision shall:

(i) Specify the time over which the temporary emissions increase of sulfur dioxide or particulate matter would occur. Such time is not to exceed two years in duration unless a longer time is approved by the Administrator;

(ii) Specify that the time period for excluding certain contributions in accordance with paragraph (f)(4)(i) of this section, is not renewable;

(iii) Allow no emissions increase from a stationary source which would:

(*a*) Impact a Class I area or an area where an applicable increment is known to be violated; or

(*b*) Cause or contribute to the violation of a national ambient air quality standard;

(iv) Require limitations to be in effect at the end of the time period specified in accordance with paragraph (f)(4)(i) of this section, which would ensure that the emissions levels from stationary sources affected by the plan revision would not exceed those levels occurring from such sources before the plan revision was approved.

(g) *Redesignation.* (1) All areas (except as otherwise provided under paragraph (e) of this section) are designated Class II as of December 5, 1974. Redesignation (except as otherwise precluded by paragraph (e) of this section) may be proposed by the respective States or Indian Governing Bodies, as provided below, subject to approval by the Administrator as a revision to the applicable State implementation plan.

(2) The State may submit to the Administrator a proposal to redesignate areas of the State Class I or Class II provided that:

(i) At least one public hearing has been held in accordance with procedures established in § 51.102 of this chapter;

(ii) Other States, Indian Governing Bodies, and Federal Land Managers whose lands may be affected by the proposed redesignation were notified at least 30 days prior to the public hearing;

(iii) A discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic, social and energy effects of the proposed redesignation, was prepared and made available for public inspection at least 30 days prior to the hearing and the notice announcing the hearing contained appropriate notification of the availability of such discussion;

(iv) Prior to the issuance of notice respecting the redesignation of an area that includes any Federal lands, the State has provided written notice to the appropriate Federal Land Manager and afforded adequate opportunity (not in excess of 60 days) to confer with the State respecting the redesignation and to submit written comments and recommendations. In redesignating any area with respect to which any Federal Land Manager had submitted written comments and recommendations, the State shall have published a list of any inconsistency between such redesignation and such comments and recommendations (together with the reasons for making such redesignation against the recommendation of the Federal Land Manager); and

(v) The State has proposed the redesignation after consultation with the elected leadership of local and other substate general purpose governments in the area covered by the proposed redesignation.

(3) Any area other than an area to which paragraph (e) of this section refers may be redesignated as Class III if—

(i) The redesignation would meet the requirements of paragraph (g)(2) of this section;

(ii) The redesignation, except any established by an Indian Governing Body, has been specifically approved by the Governor of the State, after consultation with the appropriate committees of the legislature, if it is in session, or with the leadership of the legislature, if it is not in session (unless State law provides that the redesignation must be specifically approved by State legislation) and if general purpose units of local government representing a majority of the residents of the area to be redesignated enact legislation or pass resolutions concurring in the redesignation:

(iii) The redesignation would not cause, or contribute to, a concentration of any air pollutant which would exceed any maximum allowable increase permitted under the classification of any other area or any national ambient air quality standard; and

(iv) Any permit application for any major stationary source or major modification, subject to review under paragraph (l) of this section, which could receive a permit under this section only if the area in question were redesignated as Class III, and any material submitted as part of that application, were available insofar as was practicable for public inspection prior to any public hearing on redesignation of the area as Class III.

(4) Lands within the exterior boundaries of Indian Reservations may be redesignated only by the appropriate Indian Governing Body. The appropriate Indian Governing Body may submit to the Administrator a proposal to redesignate areas Class I, Class II, or Class III: *Provided*, That:

(i) The Indian Governing Body has followed procedures equivalent to those required of a State under paragraphs (g)(2), (g)(3)(iii), and (g)(3)(iv) of this section; and

(ii) Such redesignation is proposed after consultation with the State(s) in which the Indian Reservation is located and which border the Indian Reservation.

(5) The Administrator shall disapprove, within 90 days of submission, a proposed redesignation of any area only if he finds, after notice and opportunity for public hearing, that such redesignation does not meet the procedural requirements of this paragraph or is inconsistent with paragraph (e) of this section. If any such disapproval occurs, the classification of the area shall be that which was in effect prior

to the redesignation which was disapproved.

(6) If the Administrator disapproves any proposed redesignation, the State or Indian Governing Body, as appropriate, may resubmit the proposal after correcting the deficiencies noted by the Administrator.

(h) *Stack heights.* (1) The degree of emission limitation required for control of any air pollutant under this section shall not be affected in any manner by—

(i) So much of the stack height of any source as exceeds good engineering practice, or

(ii) Any other dispersion technique.

(2) Paragraph (h)(1) of this section shall not apply with respect to stack heights in existence before December 31, 1970, or to dispersion techniques implemented before then.

(i) *Review of major stationary sources and major modifications—Source applicability and exemptions.* (1) No stationary source or modification to which the requirements of paragraphs (j) through (r) of this section apply shall begin actual construction without a permit which states that the stationary source or modification would meet those requirements. The Administrator has authority to issue any such permit.

(2) The requirements of paragraphs (j) through (r) of this section shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Act that it would emit, except as this section otherwise provides.

(3) The requirements of paragraphs (j) through (r) of this section apply only to any major stationary source or major modification that would be constructed in an area designated as attainment or unclassifiable under section 107(d)(1)(D) or (E) of the Act.

(4) The requirements of paragraphs (j) through (r) of this section shall not apply to a particular major stationary source or major modification, if;

(i) Construction commenced on the source or modification before August 7, 1977. The regulations at 40 CFR 52.21 as in effect before August 7, 1977, shall govern the review and permitting of any such source or modification; or

(ii) The source or modification was subject to the review requirements of 40 CFR 52.21(d)(1) as in effect before March 1, 1978, and the owner or operator:

(*a*) Obtained under 40 CFR 52.21 a final approval effective before March 1, 1978;

(*b*) Commenced construction before March 19, 1979; and

(*c*) Did not discontinue construction for a period of 18 months or more and completed construction within a reasonable time; or

(iii) The source or modification was subject to 40 CFR 52.21 as in effect before March 1, 1978, and the review of an application for approval for the stationary source or modification under 40 CFR 52.21 would have been completed by March 1, 1978, but for an extension of the public comment period pursuant to a request for such an extension. In such a case, the application shall continue to be processed, and granted or denied, under 40 CFR 52.21 as in effect prior to March 1, 1978; or

(iv) The source or modification was not subject to 40 CFR 52.21 as in effect before March 1, 1978, and the owner or operator:

(*a*) Obtained all final Federal, state and local preconstruction approvals or permits necessary under the applicable State Implementation Plan before March 1, 1978;

(*b*) Commenced construction before March 19, 1979; and

(*c*) Did not discontinue construction for a period of 18 months or more and completed construction within a reasonable time; or

(v) The source or modification was not subject to 40 CFR 52.21 as in effect on June 19, 1978 or under the partial stay of regulations published on February 5, 1980 (45 FR 7800), and the owner or operator:

(*a*) Obtained all final Federal, state and local preconstruction approvals or permits necessary under the applicable State Implementation Plan before August 7, 1980;

(*b*) Commenced construction within 18 months from August 7, 1980, or any earlier time required under the applicable State Implementation Plan; and

(*c*) Did not discontinuue construction for a period of 18 months or more and completed construction within a reasonable time; or

(vi) The source or modification would be a nonprofit health or nonprofit educational institution, or a major modification would occur at such an institution, and the governor of the state in which the source or modification would be located requests that it be exempt from those requirements; or

(vii) The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

(*a*) Coal cleaning plants (with thermal dryers);

(*b*) Kraft pulp mills;

(*c*) Portland cement plants;

(*d*) Primary zinc smelters;

(*e*) Iron and steel mills;

(*f*) Primary aluminum ore reduction plants;

(*g*) Primary copper smelters;

(*h*) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(*i*) Hydrofluoric, sulfuric, or nitric acid plants;

(*j*) Petroleum refineries;

(*k*) Lime plants;

(*l*) Phosphate rock processing plants;

(*m*) Coke oven batteries;

(*n*) Sulfur recovery plants;

(*o*) Carbon black plants (furnace process);

(*p*) Primary lead smelters;

(*q*) Fuel conversion plants;

(*r*) Sintering plants;

(*s*) Secondary metal production plants;

(*t*) Chemical process plants;

(*u*) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(*v*) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(*w*) Taconite ore processing plants;

(*x*) Glass fiber processing plants;

(*y*) Charcoal production plants;

(*z*) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;

(*aa*) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act; or

(viii) The source is a portable stationary source which has previously received a permit under this section, and

(*a*) The owner or operator proposes to relocate the source and emissions of the source at the new location would be temporary; and

(*b*) The emissions from the source would not exceed its allowable emissions; and

(*c*) The emissions from the source would impact no Class I area and no area where an applicable increment is known to be violated; and

(*d*) Reasonable notice is given to the Administrator prior to the relocation identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the Administrator not less than 10 days in advance of the proposed relocation unless a different time duration is previously approved by the Administrator.

(ix) The source or modification was not subject to § 52.21, with respect to particulate matter, as in effect before July 31, 1987, and the owner or operator:

(*a*) Obtained all final Federal, State, and local preconstruction approvals or permits necessary under the applicable State implementation plan before July 31, 1987;

(*b*) Commenced construction within 18 months after July 31, 1987, or any earlier time required under the State implementation plan; and

(*c*) Did not discontinue construction for a period of 18 months or more and completed construction within a reasonable period of time.

(x) The source or modification was subject to 40 CFR 52.21, with respect to particulate matter, as in effect before July 31, 1987 and the owner or operator submitted an application for a permit under this section before that date, and the Administrator subsequently determines that the application as submitted was complete with respect to the particulate matter requirements then in effect in this section. Instead, the requirements of paragraphs (j) through (r) of this section that were in effect before July 31, 1987 shall apply to such source or modification.

(5) The requirements of paragraphs (j) through (r) of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in an area designated as nonattainment under section 107 of the Act.

(6) The requirements of paragraphs (k), (m) and (o) of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from the source, or the net emissions increase of that pollutant from the modification:

(i) Would impact no Class I area and no area where an applicable increment is known to be violated, and

(ii) Would be temporary.

(7) The requirements of paragraphs (k), (m) and (o) of this section as they relate to any maximum allowable increase for a Class II area shall not apply to a major modification at a stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each pollutant subject to regulation under the Act from the modification after the application of best available control technology would be less than 50 tons per year.

(8) The Administrator may exempt a stationary source or modification from the requirements of paragraph (m) of this section, with respect to monitoring for a particular pollutant if:

(i) The emissions increase of the pollutant from the new source or the net emissions increase of the pollutant from the modification would cause, in any area, air quality impacts less than the following amounts:

Carbon monoxide—575 $\mu g/m^3$, 8-hour average;

Nitrogen dioxide—14 $\mu g/m^3$, annual average;

Particulate matter:

10 $\mu g/m^3$ of TSP, 24-hour average;

10 $\mu g/m^3$ of PM_{10}, 24-hour average;

Sulfur dioxide—13 $\mu g/m^3$, 24-hour average;

Ozone; [1]

Lead—0.1 $\mu g/m^3$, 3-month average;

Mercury—0.25 $\mu g/m^3$, 24-hour average;

Beryllium—0.001 $\mu g/m^3$, 24-hour average;

Fluorides—0.25 $\mu g/m^3$, 24-hour average;

Vinyl chloride—15 $\mu g/m^3$, 24-hour average;

Total reduced sulfur—10 $\mu g/m^3$, 1-hour average;

Hydrogen sulfide—0.2 $\mu g/m^3$, 1-hour average;

Reduced sulfur compounds—10 $\mu g/m^3$, 1-hour average; or

(ii) The concentrations of the pollutant in the area that the source or modification would affect are less than the concentrations listed in paragraph (i)(8)(i) of this section, or the pollutant is not listed in paragraph (i)(8)(i) of this section.

(9) The requirements for best available control technology in paragraph (j) of this section and the requirements for air quality analyses in paragraph (m)(1) of this section, shall not apply to a particular stationary source or modification that was subject to 40 CFR 52.21 as in effect on June 19, 1978, if the owner or operator of the source or modification submitted an application for a permit under those regulations before August 7, 1980, and the Administrator subsequently determines that the application as submitted before that date was complete. Instead, the requirements at 40 CFR 52.21(j) and (n) as in effect on June 19, 1978 apply to any such source or modification.

(10)(i) The requirements for air quality monitoring in paragraphs (m)(1) (ii) through (iv) of this section shall not apply to a particular source or modification that was subject to 40 CFR 52.21 as in effect on June 19, 1978, if the owner or operator of the source or modification submits an application for a permit under this section on or before June 8, 1981, and the

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[1] No *de minimis* air quality level is provided for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds subject to PSD would be required to perform an ambient impact analysis including the gathering of ambient air quality data.

Administrator subsequently determines that the application as submitted before that date was complete with respect to the requirements of this section other than those in paragraphs (m)(1) (ii) through (iv) of this section, and with respect to the requirements for such analyses at 40 CFR 52.21(m)(2) as in effect on June 19, 1978. Instead, the latter requirements shall apply to any such source or modification.

(ii) The requirements for air quality monitoring in paragraphs (m)(1) (ii) through (iv) of this section shall not apply to a particular source or modification that was not subject to 40 CFR 52.21 as in effect on June 19, 1978, if the owner or operator of the source or modification submits an application for a permit under this section on or before June 8, 1981, and the Administrator subsequently determines that the application as submitted before that date was complete, except with respect to the requirements in paragraphs (m)(1) (ii) through (iv).

(11)(i) At the discretion of the Administrator, the requirements for air quality monitoring of PM$_{10}$ in paragraphs (m)(1) (i)—(iv) of this section may not apply to a particular source or modification when the owner or operator of the source or modification submits an application for a permit under this section on or before June 1, 1988 and the Administrator subsequently determines that the application as submitted before that date was complete, except with respect to the requirements for monitoring particulate matter in paragraphs (m)(1) (i)—(iv).

(ii) The requirements for air quiality monitoring pf PM$_{10}$ in paragraphs (m)(1), (ii) and (iv) and (m)(3) of this section shall apply to a particular source or modification if the owner or operator of the source or modification submits an application for a permit under this section after June 1, 1988 and no later than December 1, 1988. The data shall have been gathered over at least the period from February , 1988 to the date the application becomes otherwise complete in accordance with the provisions set forth under paragraph (m)(1)(viii) of this section, except that if the Administrator determines that a complete and adequate analysis can be accomplished with monitoring data over a shorter period (not to be less than 4 months), the data that paragraph (m)(1)(iii) requires shall have been gathered over a shorter period.

(j) *Control technology review.* (1) A major stationary source or major modification shall meet each applicable emissions limitation under the State Implementation Plan and each applicable emissions standard and standard of performance under 40 CFR Parts 60 and 61.

(2) A new major stationary source shall apply best available control technology for each pollutant subject to regulation under the Act that it would have the potential to emit in significant amounts.

(3) A major modification shall apply best available control technology for each pollutant subject to regulation under the Act for which it would result in a significant net emissions increase at the source. This requirement applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change or change in the method of operation in the unit.

(4) For phased construction projects, the determination of best available control technology shall be reviewed and modified as appropriate at the latest reasonable time which occurs no later than 18 months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of best available control technology for the source.

(k) *Source impact analysis.* The owner or operator of the proposed source or modification shall demonstrate that allowable emission increases from the proposed source or modification, in conjunction with all other applicable emissions increases or reductions (including secondary emissions), would not cause or contribute to air pollution in violation of:

(1) Any national ambient air quality standard in any air quality control region; or

(2) Any applicable maximum allowable increase over the baseline concentration in any area.

(l) *Air quality models.* (1) All estimates of ambient concentrations required under this paragraph shall be based on the applicable air quality models, data bases, and other requirements specified in the "Guideline on Air Quality Models (Revised)" (1986) and Supplement A (1987) which are incorporated by reference. The guideline (EPA publication No. 450/2-78-027R) and Supplement A (1987) are for sale from the U.S. Department of Commerce, National Technical Information Service, 5825 Port Royal Road, Springfield, Virginia 22161. They are also available for inspection at the Office of the Federal Register Information Center, Room 8301, 1100 L Street, NW., Washington, DC 20408. This incorporation by reference was approved by the Director of the Federal Register on February 5, 1988. These materials are incorporated as they exist on the date of approval and a notice of any change will be published in the FEDERAL REGISTER.

(2) Where an air quality impact model specified in the "Guideline on Air Quality Models (Revised)" (1986) and Supplement A (1987) are inappropriate, the model may be modified or another model substituted. Such a modification or substitution of a model may be made on a case-by-case basis or, where appropriate, on a generic basis for a specific state program. Written approval of the Administrator must be obtained for any modification or substitution. In addition, use of a modified or substituted model must be subject to notice and opportunity for public comment under procedures developed in accordance with paragraph (q) of this section.

(m) *Air quality analysis*—(1) *Preapplication analysis.* (i) Any application for a permit under this section shall contain an analysis of ambient air quality in the area that the major stationary source or major modification would affect for each of the following pollutants:

(*a*) For the source, each pollutant that it would have the potential to omit in a significant amount;

(*b*) For the modification, each pollutant for which it would result in a significant net emissions increase.

(ii) With respect to any such pollutant for which no National Ambient Air Quality Standard exists, the analysis shall contain such air quality monitoring data as the Administrator determines is necessary to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.

(iii) With respect to any such pollutant (other than nonmethane hydrocarbons) for which such a standard does exist, the analysis shall contain continuous air quality monitoring data gathered for purposes of determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.

(iv) In general, the continuous air quality monitoring data that is required shall have been gathered over a period of at least one year and shall represent at least the year preceding receipt of the application, except that, if the Administrator determines that a complete and adequate analysis can be accomplished with monitoring data gathered over a period shorter than one year (but not to be less than four months), the data that is required shall have been gathered over at least that shorter period.

(v) For any application which becomes complete, except as to the requirements of paragraphs (m)(1) (iii) and (iv) of this section, between June 8, 1981, and February 9, 1982, the data that paragraph (m)(1)(iii) of this section, requires shall have been gathered over at least the period from February 9, 1981, to the date the application becomes otherwise complete, except that:

(*a*) If the source or modification would have been major for that pollutant under 40 CFR 52.21 as in effect on June 19, 1978, any monitoring data shall have been gathered over at least the period required by those regulations.

(*b*) If the Administrator determines that a complete and adequate analysis can be accomplished with monitoring data over a shorter period (not to be less than four months), the data that

paragraph (m)(1)(iii) of this section,
requires shall have been gathered over
at least that shorter period.

(c) If the monitoring data would
relate exclusively to ozone and would
not have been required under 40 CFR
52.21 as in effect on June 19, 1978, the
Administrator may waive the other-
wise applicable requirements of this
paragraph (v) to the extent that the
applicant shows that the monitoring
data would be unrepresentative of air
quality over a full year.

(vi) The owner or operator of a pro-
posed stationary source or modifica-
ion of violatile organic compounds
who satisfies all conditions of 40 CFR
Part 51 Appendix S, section IV may
provide post-approval monitoring data
or ozone in lieu of providing precon-
truction data as requried under para-
raph (m)(1) of this section.

(vii) For any application that be-
omes complete, except as to the re-
uirements of paragraphs (m)(1) (iii)
nd (iv) pertaining to PM_{10}, after De-
ember 1, 1988 and no later than
ugust 1, 1989 the data that para-
raph (m)(1)(iii) requires shall have
een gathered over at least the period
rom August 1, 1988 to the date the
pplication becomes otherwise com-
lete, except that if the Administrator
etermines that a complete and ade-
uate analysis can be accomplished
ith monitoring data over a shorter
eriod (not to be less than 4 months),
he data that paragraph (m)(1)(iii) re-
uires shall have been gathered over
hat shorter period.

(viii) With respect to any require-
ents for air quality monitoring of
M_{10} under paragraphs (i)(11) (i) and
i) of this sectionm the owner or oper-
tor of the source or modification
hall use a monitoring method ap-
roved by the Administrator and shall
timate the ambient concentrations
PM_{10} using the data collected by
ch approved monitoring method in
ccordance with estimating procedures
pproved by the Administrator.

(2) Post-construction monitoring.
he owner or operator of a major sta-
onary source or major modification
hall, after construction of the station-
y source or modification, conduct
ch ambient monitoring as the Ad-
inistrator determines is necessary to
determine the effect emissions from the stationary source or modification may have, or are having, on air quality in any area.

(3) Operations of monitoring stations. The owner or operator of a major stationary source or major modification shall meet the requirements of Appendix B to Part 58 of this chapter during the operation of monitoring stations for purposes of satisfying paragraph (m) of this section.

(n) *Source information.* The owner or operator of a proposed source or modification shall submit all information necessary to perform any analysis or make any determination required under this section.

(1) With respect to a source or modification to which paragraphs (j), (l), (n) and (p) of this section apply, such information shall include:

(i) A description of the nature, location, design capacity, and typical operating schedule of the source or modification, including specifications and drawings showing its design and plant layout;

(ii) A detailed schedule for construction of the source or modification;

(iii) A detailed description as to what system of continuous emission reduction is planned for the source or modification, emission estimates, and any other information necessary to determine that best available control technology would be applied.

(2) Upon request of the Administrator, the owner or operator shall also provide information on:

(i) The air quality impact of the source or modification, including meteorological and topographical data necessary to estimate such impact; and

(ii) The air quality impacts, and the nature and extent of any or all general commercial, residential, industrial, and other growth which has occurred since August 7, 1977, in the area the source or modification would affect.

(o) *Additional impact analyses.* (1) The owner or operator shall provide an analysis of the impairment to visibility, soils and vegetation that would occur as a result of the source or modification and general commercial, residential, industrial and other growth associated with the source or modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.

(2) The owner or operator shall provide an analysis of the air quality impact projected for the area as a result of general commercial, residential, industrial and other growth associated with the source or modification.

(3) *Visibility monitoring.* The Administrator may require monitoring of visibility in any Federal class I area near the proposed new stationary source for major modification for such purposes and by such means as the Administrator deems necessary and appropriate.

(p) *Sources impacting Federal Class I areas—additional requirements*—(1) *Notice to Federal land managers.* The Administrator shall provide written notice of any permit application for a proposed major stationary source or major modification, the emissions from which may affect a Class I area, to the Federal land manager and the Federal official charged with direct responsibility for management of any lands within any such area. Such notification shall include a copy of all information relevant to the permit application and shall be given within 30 days of receipt and at least 60 days prior to any public hearing on the application for a permit to construct. Such notification shall include an analysis of the proposed source's anticipated impacts on visibility in the Federal Class I area. The Administrator shall also provide the Federal land manager and such Federal officials with a copy of the preliminary determination required under paragraph (q) of this section, and shall make available to them any materials used in making that determination, promptly after the Administrator makes such determination. Finally, the Administrator shall also notify all affected Federal land managers within 30 days of receipt of any advance notification of any such permit application.

(2) *Federal Land Manager.* The Federal Land Manager and the Federal official charged with direct responsibility for management of such lands have an affirmative responsibility to protect the air quality related values (including visibility) of such lands and to consider, in consultation with the Administrator, whether a proposed source or modification will have an adverse impact on such values.

(3) *Visibility analysis.* The Administrator shall consider any analysis performed by the Federal land manager, provided within 30 days of the notification required by paragraph (p)(1) of this section, that shows that a proposed new major stationary source or major modification may have an adverse impact on visibility in any Federal Class I area. Where the Administrator finds that such an analysis does not demonstrate to the satisfaction of the Administrator that an adverse impact on visibility will result in the Federal Class I area, the Administrator must, in the notice of public hearing on the permit application, either explain his decision or give notice as to where the explanation can be obtained.

(4) *Denial—impact on air quality related values.* The Federal Land Manager of any such lands may demonstrate to the Administrator that the emissions from a proposed source or modification would have an adverse impact on the air quality-related values (including visibility) of those lands, notwithstanding that the change in air quality resulting from emissions from such source or modification would not cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the Administrator concurs with such demonstration, then he shall not issue the permit.

(5) *Class I variances.* The owner or operator of a proposed source or modification may demonstrate to the Federal Land Manager that the emissions from such source or modification would have no adverse impact on the air quality related values of any such lands (including visibility), notwithstanding that the change in air quality resulting from emissions from such source or modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the Federal Land Manager concurs with such demonstration and he so certifies, the State may authorize the Administrator: *Provided,* That the applicable re-

quirements of this section are otherwise met, to issue the permit with such emission limitations as may be necessary to assure that emissions of sulfur dioxide and particulate matter would not exceed the followng maximum allowable increases over baseline concentration for such pollutants:

MAXIMUM ALLOWABLE INCREASE

	Micrograms per cubic meter
Particulate matter:	
TSP, annual geometric mean	19
TSP, 24-hr maximum	37
Sulfur dioxide:	
Annual arithmetic mean	20
24-hr maximum	91
3-hr maximum	325

(6) *Sulfur dioxide variance by Governor with Federal Land Manager's concurrence.* The owner or operator of a proposed source or modification which cannot be approved under paragraph (q)(4) of this section may demonstrate to the Governor that the source cannot be constructed by reason of any maximum allowable increase for sulfur dioxide for a period of twenty-four hours or less applicable to any Class I area and, in the case of Federal mandatory Class I areas, that a variance under this clause would not adversely affect the air quality related values of the area (including visibility). The Governor, after consideration of the Federal Land Manager's recommendation (if any) and subject to his concurrence, may, after notice and public hearing, grant a variance from such maximum allowable increase. If such variance is granted, the Administrator shall issue a permit to such source or modification pursuant to the requirements of paragraph (q)(7) of this section: *Provided*, That the applicable requirements of this section are otherwise met.

(7) *Variance by the Governor with the President's concurrence.* In any case where the Governor recommends a variance in which the Federal Land Manager does not concur, the recommendations of the Governor and the Federal Land Manager shall be transmitted to the President. The President may approve the Governor's recommendation if he finds that the variance is in the national interest. If the variance is approved, the Administrator shall issue a permit pursuant to the requirements of paragraph (q)(7) of this section: *Provided*, That the applicable requirements of this section are otherwise met.

(8) *Emission limitations for Presidential or gubernatorial variance.* In the case of a permit issued pursuant to paragraph (q) (5) or (6) of this section the source or modification shall comply with such emission limitations as may be necessary to assure that emissions of sulfur dioxide from the source or modification would not (during any day on which the otherwise applicable maximum allowable increases are exceeded) cause or contribute to concentrations which would exceed the following maximum allowable increases over the baseline concentration and to assure that such emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of 24 hours or less for more than 18 days, not necessarily consecutive, during any annual period:

MAXIMUM ALLOWABLE INCREASE

[Micrograms per cubic meter]

Period of exposure	Terrain areas	
	Low	High
24-hr maximum	36	62
3-hr maximum	130	221

(q) *Public participation.* The Administrator shall follow the applicable procedures of 40 CFR Part 124 in processing applications under this section. The Administrator shall follow the procedures at 40 CFR 52.21(r) as in effect on June 19, 1979, to the extent that the procedures of 40 CFR Part 124 do not apply.

(r) *Source obligation.* (1) Any owner or operator who constructs or operates a source or modification not in accordance with the application submitted pursuant to this section or with the terms of any approval to construct, or any owner or operator of a source or modification subject to this section who commences construction after the effective date of these regulations without applying for and receiving approval hereunder, shall be subject to appropriate enforcement action.

(2) Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Administrator may extend the 18-month period upon a satisfactory showing that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within 18 months of the projected and approved commencement date.

(3) Approval to construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of the State implementation plan and any other requirements under local, State, or Federal law.

(4) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements or paragraphs (j) through (s) of this section shall apply to the source or modification as though construction had not yet commenced on the source or modification.

(s) *Environmental impact statements.* Whenever any proposed source or modification is subject to action by a Federal Agency which might necessitate preparation of an environmental impact statement pursuant to the National Environmental Policy Act (42 U.S.C. 4321), review by the Administrator conducted pursuant to this section shall be coordinated with the broad environmental reviews under that Act and under section 309 of the Clean Air Act to the maximum extent feasible and reasonable.

(t) *Disputed permits or redesignations.* If any State affected by the redesignation of an area by an Indian Governing Body, or any Indian Governing Body of a tribe affected by the redesignation of an area by a State, disagrees with such redesignation, or if a permit is proposed to be issued for any major stationary source or major modification proposed for construction in any State which the Governor of an affected State or Indian Governing Body of an affected tribe determines will cause or contribute to a cumulative change in air quality in excess of that allowed in this part within the affected State or Indian Reservation, the Governor or Indian Governing Body may request the Administrator to enter into negotiations with the parties involved to resolve such dispute. If requested by any State or Indian Governing Body involved, the Administrator shall make a recommendation to resolve the dispute and protect the air quality related values of the lands involved. If the parties involved do not reach agreement, the Administrator shall resolve the dispute and his determination, or the results of agreements reached through other means, shall become part of the applicable State implementation plan and shall be enforceable as part of such plan. In resolving such disputes relating to area redesignation, the Administrator shall consider the extent to which the lands involved are of sufficient size to allow effective air quality management or have air quality related values of such an area.

(u) *Delegation of authority.* (1) The Administrator shall have the authority to delegate his responsibility for conducting source review pursuant to this section, in accordance with paragraphs (v) (2) and (3) of this section.

(2) Where the Administrator delegates the responsibility for conducting source review under this section to any agency other than a Regional Office of the Environmental Protection Agency, the following provisions shall apply:

(i) Where the delegate agency is not an air pollution control agency, it shall consult with the appropriate State and local air pollution control agency prior to making any determination under this section. Similarly, where the delegate agency does not have continuing responsibility for managing land use, it shall consult with the appropriate State and local agency primarily responsible for managing land use prior to making any determination under this section.

(ii) The delegate agency shall send a copy of any public comment notice required under paragraph (r) of this section to the Administrator through the appropriate Regional Office.

(3) The Administrator's authority for reviewing a source or modification located on an Indian Reservation shall not be redelegated other than to a Regional Office of the Environmental Protection Agency, except where the State has assumed jurisdiction over such land under other laws. Where the State has assumed such jurisdiction, the Administrator may delegate his authority to the States in accordance with paragraph (v)(2) of this section.

(4) In the case of a source or modification which proposes to construct in a class III area, emissions from which would cause or contribute to air quality exceeding the maximum allowable increase applicable if the area were designated a class II area, and where no standard under section 111 of the act has been promulgated for such source category, the Administrator must approve the determination of best available control technology as set forth in the permit.

(v) *Innovative control technology.* (1) An owner or operator of a proposed major stationary source or major modification may request the Administrator in writing no later than the close of the comment period under 40 CFR 124.10 to approve a system of innovative control technology.

(2) The Administrator shall, with the consent of the governor(s) of the affected state(s), determine that the source or modification may employ a system of innovative control technology, if:

(i) The proposed control system would not cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function;

(ii) The owner or operator agrees to achieve a level of continuous emissions reduction equivalent to that which would have been required under paragraph (j)(2) of this section, by a date specified by the Administrator. Such date shall not be later than 4 years from the time of startup or 7 years from permit issuance;

(iii) The source or modification would meet the requirements of paragraphs (j) and (k) of this section, based on the emissions rate that the stationary source employing the system of innovative control technology would be required to meet on the date specified by the Administrator;

(iv) The source or modification would not before the date specified by the Administrator:

(*a*) Cause or contribute to a violation of an applicable national ambient air quality standard; or

(*b*) Impact any Class I area; or

(*c*) Impact any area where an applicable increment is known to be violated; and

(v) All other applicable requirements including those for public participation have been met.

(3) The Administrator shall withdraw any approval to employ a system of innovative control technology made under this section, if:

(i) The proposed system fails by the specified date to achieve the required continuous emissions reduction rate; or

(ii) The proposed system fails before the specified date so as to contribute to an unreasonable risk to public health, welfare, or safety; or

(iii) The Administrator decides at any time that the proposed system is unlikely to achieve the required level of control or to protect the public health, welfare, or safety.

(4) If a source or modification fails to meet the required level of continuous emission reduction within the specified time period or the approval is withdrawn in accordance with paragraph (v)(3) of this section, the Administrator may allow the source or modification up to an additional 3 years to meet the requirement for the application of best available control technology through use of a demonstrated system of control.

(w) *Permit rescission.* (1) Any permit issued under this section or a prior version of this section shall remain in effect, unless and until it expires under paragraph (s) of this section or is rescinded.

(2) Any owner or operator of a stationary source or modification who holds a permit for the source or modification which was issued under 40 CFR 52.21 as in effect on July 30, 1987, or any earlier version of this section, may request that the Administrator rescind the permit or a particular portion of the permit.

(3) The Administrator shall grant an application for rescission if the application shows that this section would not apply to the source or modification.

(4) If the Administrator rescinds a permit under this paragraph, the public shall be given adequate notice of the rescission. Publication of an announcement of rescission in a newspaper of general circulation in the affected region within 60 days of the rescission shall be considered adequate notice.

[43 FR 26403, June 19, 1978, as amended at 44 FR 27571, May 10, 1979; 45 FR 52735, Aug. 7, 1980; 47 FR 27561, June 25, 1982; 49 FR 43209, Oct. 26, 1984; 50 FR 28550, July 12, 1985; 51 FR 40675, 40677, Nov. 7, 1986; 52 FR 24714, July 1, 1987; 52 FR 26401, July 14, 1987; 53 FR 396, Jan. 6, 1988]

§ 52.22 Maintenance of national standards.

(a) Subsequent to January 31, 1973, the Administrator reviewed again State implementation plan provisions for insuring the maintenance of the national standards. The review indicates that State plans generally do not contain regulations or procedures which adequately address this problem. Accordingly, all State plans are disapproved with respect to maintenance because such plans do not meet the requirements of § 51.12(g) of this chapter. The disapproval applies to all States listed in Subparts B through DDD of this part. Nothing in this section shall invalidate or otherwise affect the obligations of States, emission sources, or other persons with respect to all portions of plans approved or promulgated under this part.

(b) *Regulation for review of new or modified indirect sources.* (1) All terms used in this paragraph but not specifically defined below shall have the meaning given them in § 52.01 of this chapter.

(i) The term "indirect source" means a facility, building, structure, or installation which attracts or may attract mobile source activity that results in emissions of a pollutant for which there is a national standard. Such indirect sources include, but are not limited to:

(*a*) Highways and roads.

(*b*) Parking facilities.

(*c*) Retail, commercial and industrial facilities.

(*d*) Recreation, amusement, sports and entertainment facilities.

(*e*) Airports.

(*f*) Office and Government buildings.

(*g*) Apartment and condominium buildings.

(*h*) Education facilities.

(ii) The term "Administrator" means the Administrator of the Environmental Protection Agency or his designated agent.

(iii) The term "associated parking area" means a parking facility or facilities owned and/or operated in conjunction with an indirect source.

(iv) The term "aircraft operation" means an aircraft take-off or landing.

(v) The phrase "to commence construction" means to engage in a continuous program of on-site construction including site clearance, grading, dredging, or land filling specifically designed for an indirect source in preparation for the fabrication, erection, or installation of the building components of the indirect source. For the purpose of this paragraph, interruptions resulting from acts of God, strikes, litigation, or other matters beyond the control of the owner shall be disregarded in determining whether a construction or modification program is continuous.

(vi) The phrase "to commence modification" means to engage in a continuous program of on-site modification, including site clearance, grading, dredging, or land filling in preparation for a specific modification of the indirect source.

(vii) The term "highway section" means the development proposal of a highway of substantial length between logical termini (major crossroads, population centers, major traffic generators, or similar major highway control elements) as normally included in a single location study or multi-year highway improvement program as set forth in 23 CFR 770.201 (38 FR 31677).

(viii) The term "highway project" means all or a portion of a highway section which would result in a specific construction contract.

(ix) The term "Standard Metropolitan Statistical Area (SMSA)" means such areas as designated by the U.S. Bureau of the Budget in the following publication: "Standard Metropolitan Statistical Area," issued in 1967, with subsequent amendments.

(2) The requirements of this paragraph are applicable to the following:

(i) In an SMSA:

(*a*) Any new parking facility, or other new indirect source with an associated parking area, which has a new parking capacity of 1,000 cars or more; or

(*b*) Any modified parking facility, or any modification of an associated parking area, which increases parking capacity by 500 cars or more; or

(*c*) Any new highway project with an anticipated average annual daily traffic volume of 20,000 or more vehicles per day within ten years of construction; or

(*d*) Any modified highway project which will increase average annual daily traffic volume by 10,000 or more vehicles per day within ten years after modification.

(ii) Outside an SMSA:

(*a*) Any new parking facility, or other new indirect source with an associated parking area, which has a parking capacity of 2,000 cars or more; or

(*b*) Any modified parking facility, or any modification of an associated parking area, which increases parking capacity by 1,000 cars or more.

(iii) Any airport, the construction or general modification program of which is expected to result in the following activity within ten years of construction or modification:

(*a*) New airport: 50,000 or more operations per year by regularly scheduled air carriers, or use by 1,600,000 or more passengers per year.

(*b*) Modified airport: Increase of 50,000 or more operations per year by regularly scheduled air carriers over the existing volume of operations, or increase of 1,600,000 or more passengers per year.

(iv) Where an indirect source is constructed or modified in increments which individually are not subject to review under this paragraph, and which are not part of a program of construction or modification in planned incremental phases approved by the Administrator, all such increments commenced after December 31, 1974, or after the latest approval hereunder, whichever date is most recent, shall be added together for determining the applicability of this paragraph.

(3) No owner or operator of an indirect source subject to this paragraph shall commence construction or modification of such source after December 31, 1974, without first obtaining approval from the Administrator. Application for approval to construct or modify shall be by means prescribed by the Administrator, and shall include a copy of any draft or final environmental impact statement which has been prepared pursuant to the National Environmental Policy Act (42 U.S.C. 4321). If not included in such environmental impact statement, the Administrator may request the following information:

(i) For all indirect sources subject to this paragraph, other than highway projects:

(*a*) The name and address of the applicant.

(*b*) A map showing the location of the site of indirect source and the topography of the area.

(*c*) A description of the proposed use of the site, including the normal hours of operation of the facility, and the general types of activities to be operated therein.

(*d*) A site plan showing the location of associated parking areas, points of motor vehicle ingress and egress to and from the site and its associated parking areas, and the location and height of buildings on the site.

(*e*) An identification of the principal roads, highways, and intersections that will be used by motor vehicles moving to or from the indirect source.

(*f*) An estimate, as of the first year after the date the indirect source will be substantially complete and operational, of the average daily traffic volumes, maximum traffic volumes for one-hour and eight-hour periods, and vehicle capacities of the principal roads, highways, and intersections identified pursuant to paragraph (b)(3)(i)(*e*) of this section located within one-fourth mile of all boundaries of the site:

(*g*) Availability of existing and projected mass transit to service the site.

(*h*) Where approval is sought for indirect sources to be constructed in incremental phases, the information required by this paragraph (b)(3) shall be submitted for each phase of the construction project.

(*i*) Any additional information or documentation that the Administrator deems necessary to determine the air quality impact of the indirect source, including the submission of measured air quality data at the proposed site prior to construction or modification.

(ii) For airports:

(*a*) An estimate of the average number and maximum number of aircraft operations per day by type of aircraft during the first, fifth and tenth years after the date of expected completion.

(*b*) A description of the commercial, industrial, residential and other development that the applicant expects will occur within three miles of the perimeter of the airport within the first five and the first ten years after the date of expected completion.

(*c*) Expected passenger loadings at the airport.

(*d*) The information required under paragraphs (b)(3)(i) (*a*) through (*i*) of this section.

(iii) For highway projects:

(*a*) A description of the average and maximum traffic volumes for one, eight, and 24-hour time period expected within 10 years of date of expected completion.

(*b*) An estimate of vehicle speeds for average and maximum traffic volume conditions and the vehicle capacity of the highway project.

(*c*) A map showing the location of the highway project, including the location of buildings along the right-of-way.

(*d*) A description of the general features of the highway project and associated right-of-way, including the approximate height of buildings adjacent to the highway.

(*e*) Any additional information or documentation that the Administrator deems necessary to determine the air quality impact of the indirect source, including the submission of measured air quality data at the proposed site prior to construction or modification.

(iv) For indirect sources other than airports and those highway projects subject to the provisions of paragraph (b)(6)(iii) of this section, the air quality monitoring requirements of paragraph (b)(3)(i)(*i*) of this section shall be limited to carbon monoxide, and shall be conducted for a period of not more than 14 days.

(4)(i) For indirect sources other than highway projects and airports, the Administrator shall not approve an application to construct or modify if he determines that the indirect source will:

(*a*) Cause a violation of the control strategy of any applicable state implementation plan; or

(*b*) Cause or exacerbate a violation of the national standards for carbon monoxide in any region or portion thereof.

(ii) The Administrator shall make the determination pursuant to paragraph (b)(4)(i)(*b*) of this section by evaluating the anticipated concentration of carbon monoxide at reasonable receptor or exposure sites which will be affected by the mobile source activity expected to be attracted by the indirect source. Such determination may be made by using traffic flow characteristic guidelines published by the Environmental Protection Agency which relate traffic demand and capacity considerations to ambient carbon monoxide impact, by use of appropriate atmospheric diffusion models (examples of which are referenced in Appendix O to Part 51 of this chapter), and/or by any other reliable analytic method. The applicant may (but need not) submit with his application, the results of an appropriate diffusion model and/or any other reliable analytic method, along with the technical data and information supporting such results. Any such results and supporting data submitted by the applicant shall be considered by the Administrator in making his determination pursuant to paragraph (b)(4)(i)(*b*) of this section.

(5)(i) For airports subject to this paragraph, the Administrator shall base his decision on the approval or disapproval of an application on the considerations to be published as an appendix to this part.

(ii) For highway projects and parking facilities specified under paragraph (b)(2) of this section which are associated with airports, the requirements and procedures specified in paragraphs (b)(4) and (6) (i) and (ii) of this section shall be met.

(6)(i) For all highway projects subject to this paragraph, the Administrator shall not approve an application to construct or modify if he determines that the indirect source will:

(*a*) Cause a violation of the control strategy of any applicable state implementation plan; or

(*b*) Cause or exacerbate a violation of the national standards for carbon monoxide in any region or portion thereof.

(ii) The determination pursuant to paragraph (b)(6)(i)(*b*) of this section shall be made by evaluating the anticipated concentration of carbon monoxide at reasonable receptor or exposure sites which will be affected by the mobile source activity expected on the highway for the ten year period following the expected date of completion according to the procedures specified in paragraph (b)(4)(ii) of this section.

(iii) For new highway projects subject to this paragraph with an anticipated average daily traffic volume of 50,000 or more vehicles within ten years of construction, or modifications to highway projects subject to this paragraph which will increase average daily traffic volume by 25,000 or more vehicles within ten years after modification, the Administrator's decision on the approval or disapproval of an application shall be based on the considerations to be published as an appendix to this part in addition to the requirements of paragraph (b)(6)(i) of this section.

(7) The determination of the air quality impact of a proposed indirect source "at reasonable receptor or exposure sites" shall mean such locations where people might reasonably be exposed for time periods consistent with the national ambient air quality standards for the pollutants specified for analysis pursuant to this paragraph.

(8)(i) Within 20 days after receipt of an application or addition thereto, the Administrator shall advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of paragraph (b)(8)(ii) of this section shall be the date on which all required information is received by the Administrator.

(ii) Within 30 days after receipt of a complete application, the Administrator shall;

(*a*) Make a preliminary determination whether the indirect source should be approved, approved with conditions in accordance with paragraph (b) (9) or (10) of this section, or disapproved.

(*b*) Make available in at least one location in each region in which the proposed indirect source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination, and a copy or summary of other materials, if any, considered by the Administrator in making his preliminary determination; and

(*c*) Notify the public, by prominent advertisement in a newspaper of general circulation in each region in which the proposed indirect source would be constructed, of the opportunity for written public comment on the information submitted by the owner or operator and the Administrator's preliminary determination on the approvability of the indirect source.

(iii) A copy of the notice required pursuant to this paragraph shall be sent to the applicant and to officials and agencies having cognizance over the location where the indirect source will be situated, as follows: State and local air pollution control agencies, the chief executive of the city and county; any comprehensive regional land use planning agency; and for highways, any local board or committee charged with responsibility for activities in the conduct of the urban transportation planning process (3-C process) pursuant to 23 U.S.C. 134.

(iv) Public comments submitted in writing within 30 days after the date such information is made available shall be considered by the Administrator in making his final decision on the application. No later than 10 days after the close of the public comment period, the applicant may submit a written response to any comments submitted by the public. The Administrator shall consider the applicant's response in making his final decision. All comments shall be made available for public inspection in at least one location in the region in which the indirect source would be located.

(v) The Administrator shall take final action on an application within 30 days after the close of the public comment period. The Administrator shall notify the applicant in writing of his approval, conditional approval, or denial of the application, and shall set forth his reasons for conditional approval or denial. Such notification shall be made available for public inspection in at least one location in the region in which the indirect source would be located.

(vi) The Administrator may extend each of the time periods specified in paragraph (b)(8) (ii), (iv), or (v) of this section by no more than 30 days, or such other period as agreed to by the applicant and the Administrator.

(9)(i) Whenever an indirect source as proposed by an owner or operator's application would not be permitted to be constructed for failure to meet the tests set forth pursuant to paragraph (b)(4)(i), (b)(5)(i), or (b)(6)(i) and (iii) of this section, the Administrator may impose reasonable conditions on an approval related to the air quality aspects of the proposed indirect source so that such source, if constructed or modified in accordance with such conditions, could meet the tests set forth pursuant to paragraph (b)(4)(i), (b)(5)(i), or (b)(6)(i) and (iii) of this section. Such conditions may include, but not be limited to:

(*a*) Binding commitments to roadway improvements or additional mass transit facilities to serve the indirect source secured by the owner or operator from governmental agencies having jurisdiction thereof;

(*b*) Binding commitments by the owner or operator to specific programs for mass transit incentives for the employees and patrons of the source; and

(*c*) Binding commitments by the owner or operator to construct, modify, or operate the indirect source in such a manner as may be necessary to achieve the traffic flow characteristics published by the Environmental Protection Agency pursuant to paragraph (b)(4)(ii) of this section.

(ii) The Administrator may specify that any items of information provided in an application for approval related to the operation of an indirect source which may affect the source's air quality impact shall be considered permit conditions.

(10) Notwithstanding the provisions relating to modified indirect sources contained in paragraph (b)(2) of this section, the Administrator may condition any approval by reducing the extent to which the indirect source may be further modified without resubmission for approval under this paragraph.

(11) Any owner or operator who fails to construct an indirect source in accordance with the application as approved by the Administrator; any owner or operator who fails to construct and operate an indirect source in accordance with conditions imposed by the Administrator under paragraph (b)(9) of this section; any owner or operator who modifies an indirect source in violation of conditions imposed by the Administrator under paragraph (b)(10) of this section; or any owner or operator of an indirect source subject to this paragraph who commences construction or modification thereof after December 31, 1974, without applying for and receiving approval hereunder, shall be subject to the penalties specified under section 113 of the Act and shall be considered in violation of an emission standard or limitation under section 304 of the Act. Subse-

quent modification to an approved indirect source may be made without applying for permission pursuant to this paragraph only where such modification would not violate any condition imposed pursuant to paragraphs (b)(9) and (10) of this section and would not be subject to the modification criteria set forth in paragraph (b)(2) of this section.

(12) Approval to construct or modify shall become invalid if construction or modification is not commenced within 24 months after receipt of such approval. The Administrator may extend such time period upon a satisfactory showing that an extension is justified. The applicant may apply for such an extension at the time of initial application or at any time thereafter.

(13) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with the control strategy and all local, State and Federal regulations which are part of the applicable State implementation plan.

(14) Where the Administrator delegates the responsibility for implementing the procedures for conducting indirect source review pursuant to this paragraph to any agency, other than a regional office of the Environmental Protection Agency, the following provisions shall apply:

(i) Where the agency designated is not an air pollution control agency, such agency shall consult with the appropriate State or local air pollution control agency prior to making any determination required by paragraph (b)(4), (5), or (6) of this section. Similarly, where the agency designated does not have continuing responsibilities for land use planning, such agency shall consult with the appropriate State or local land use and transportation planning agency prior to making any determination required by paragraph (b)(9) of this section.

(ii) The Administrator of the Environmental Protection Agency shall conduct the indirect source review pursuant to this paragraph for any indirect source owned or operated by the United States Government.

(iii) A copy of the notice required pursuant to paragraph (b)(8)(ii)(c) of this section shall be sent to the Administrator through the appropriate Regional Office.

(15) In any area in which a "management of parking supply" regulation which has been promulgated by the Administrator is in effect, indirect sources which are subject to review under the terms of such a regulation shall not be required to seek review under this paragraph but instead shall be required to seek review pursuant to such management of parking supply regulation. For purposes of this paragraph, a "management of parking supply" regulation shall be any regulation promulgated by the Administrator as part of a transportation control plan pursuant to the Clean Air Act which requires that any new or modified facility containing a given number of parking spaces shall receive a permit or other prior approval, issuance of which is to be conditioned on air quality considerations.

(16) Notwithstanding any of the foregoing provisions to the contrary, the operation of this paragraph is hereby suspended pending further notice. No facility which commences construction prior to the expiration of the sixth month after the operation of this paragraph is reinstated (as to that type of facility) shall be subject to this paragraph.

[39 FR 7276, Feb. 25, 1974, as amended at 39 FR 25297, July 9, 1974; 40 FR 28065, July 3, 1975; 40 FR 40160, Sept. 2, 1975]

EDITORIAL NOTE: Interpretative rulings regarding paragraph (b) of this section are published in Appendix A to this part.

§ 52.23 Violation and enforcement.

Failure to comply with any provisions of this part, or with any approved regulatory provision of a state implementation plan, or with any permit condition or permit denial issued pursuant to approved or promulgated regulations for the review of new or modified stationary or indirect sources, shall render the person or governmental entity so failing to comply in violation of a requirement of an applicable implementation plan and subject to enforcement action under section 113 of the Clean Air Act. With regard to compliance schedules, a person or Governmental entity will be considered to have failed to comply with the requirements of this part if it fails to timely submit any required compliance schedule, if the compliance schedule when submitted does not contain each of the elements it is required to contain, or if the person or Governmental entity fails to comply with such schedule.

[39 FR 33512, Sept. 18, 1974]

§ 52.24 Statutory restriction on new sources.

(a) After June 30, 1979, no major stationary source shall be constructed or modified in any nonattainment area as designated in 40 CFR Part 81, Subpart C ("nonattainment area") to which any State implementation plan applies, if the emissions from such facility will cause or contribute to concentrations of any pollutant for which a national ambient air quality standard is exceeded in such area, unless, as of the time of application for a permit for such construction, such plan meets the requirements of Part D, Title I, of the Clean Air Act, as amended (42 U.S.C. 7501 *et seq.*) ("Part D"). This section shall not apply to any nonattainment area once EPA has fully approved the State implementation plan for the area as meeting the requirements of Part D.

(b) For any nonattainment area for which the SIP satisfies the requirements of Part D, permits to construct and operate new or modified major stationary sources may be issued only if the applicable SIP is being carried out for the nonattainment area in which the proposed source is to be constructed or modified in accordance with the requirements of Part D.

(c) The Emission Offset Interpretative Ruling, 40 CFR Part 51, Appendix S ("Offset Ruling"), rather than paragraphs (a) and (b), governs permits to construct and operate applied for before the deadline for having a revised SIP in effect that satisfies Part D. This deadline is July 1, 1979, for areas designated as nonattainment on March 3, 1978 (42 FR 8962). The revised SIP, rather than paragraph (a) of this section, governs permits applied for during a period when the revised SIP is in compliance with Part D.

(d) The restrictions in paragraphs (a) and (b) apply only to major stationary sources of emissions that cause or contribute to concentrations of the pollutant for which the nonattainment area was designated as nonattainment, and for which the SIP does not meet the requirements of Part D or is not being carried out in accordance with the requirements of Part D.

(e) For any area designated as nonattainment for any national ambient air quality standard, the restrictions in paragraphs (a) and (b) of this section, shall apply to any major stationary source or major modification that would be major for the pollutant for which the area is designated nonattainment, if the stationary source or major modification would be constructed anywhere in the designated nonattainment areas. A major stationary source or major modification that is major for volatile organic compounds is also major for ozone.

(f) The following definitions shall apply under this section.

(1) "Stationary source" means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the Act.

(2) "Building, structure, facility or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same two-digit code) as described in the following document, *Standard Industrial Classification Manual, 1972,* as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0, respectively).

(3) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution con-

trol equipment and restrictions on hours of operation or on amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(4)(i) "Major stationary source" means:

(*a*) Any stationary source of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Act; or

(*b*) Any physical change that would occur at a stationary source not qualifying under paragraph (f)(5)(i)(*a*) of this section, as a major stationary source, if the change would constitute a major stationary source by itself.

(ii) A major stationary source that is major for volatile for organic compounds shall be considered major for ozone.

(iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this section whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

(*a*) Coal cleaning plants (with thermal dryers);

(*b*) Kraft pulp mills;

(*c*) Portland cement plants;

(*d*) Primary zinc smelters;

(*e*) Iron and steel mills;

(*f*) Primary aluminum ore reduction plants;

(*g*) Primary copper smelters;

(*h*) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(*i*) Hydrofluoric, sulfuric, or nitric acid plants;

(*j*) Petroleum refineries;

(*k*) Lime plants;

(*l*) Phosphate rock processing plants;

(*m*) Coke oven batteries;

(*n*) Sulfur recovery plants;

(*o*) Carbon black plants (furnace process);

(*p*) Primary lead smelters;

(*q*) Fuel conversion plants;

(*r*) Sintering plants;

(*s*) Secondary metal production plants;

(*t*) Chemical process plants;

(*u*) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(*v*) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(*w*) Taconite ore processing plants;

(*x*) Glass fiber processing plants;

(*y*) Charcoal production plants;

(*z*) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;

(*aa*) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

(5)(i) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(ii) Any net emissions increase that is considered significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include:

(*a*) Routine maintenance, repair, and replacement;

(*b*) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(*c*) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(*d*) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(*e*) Use of an alternative fuel or raw material by a stationary source which:

(*1*) The source was capable of accommodating before July 1, 1979, unless such change would be prohibited under any federally enforceable permit condition which was established after July 1, 1979 pursuant to

40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or 40 CFR 51.166; or

(*2*) The source is approved to use under any permit issued under regulations approved pursuant to 40 CFR Subpart I;

(*f*) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after July 1, 1979 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or 40 CFR 51.166.

(*g*) Any change in ownership at a stationary source.

(6)(i) "Net emissions increase" means the amount by which the sum of the following exceeds zero:

(*a*) Any increase in actual emissions from a particular physical change or change in the method of operation at a stationary source; and

(*b*) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:

(*a*) The date five years before construction on the particular change commences and

(*b*) The date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source under regulations approved pursuant to 40 CFR Subpart I which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(v) A decrease in actual emissions is creditable only to the extent that:

(*a*) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(*b*) It is federally enforceable at and after the time that construction on the particular change begins; and

(*c*) The Administrator or reviewing authority has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR Subpart I or the State has not relied on it in demonstrating attainment or reasonable further progress.

(*d*) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(7) "Emissions unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Act.

(8) "Secondary emissions" means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would otherwise not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(9) "Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(10) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of

emissions that would equal or exceed any of the following rates:

Pollutant and Emissions Rate

Carbon monoxide: 100 tons per year (tpy)
Nitrogen oxides: 40 tpy
Sulfur dioxide: 40 tpy
Ozone: 40 tpy of volatile organic compounds
Lead: 0.6 tpy

(11) "Allowable emissions" means the emissions rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(i) The applicable standards set forth in 40 CFR Parts 60 and 61;

(ii) Any applicable State Implementation Plan emissions limitation, including those with a future compliance date; or

(iii) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

(12) "Federally enforceable" means all limitations and conditions which are enforceable by the Administrator, including those requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within any applicable State Implementation Plan, and any permit requirements established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I and 51.166.

(13)(i) "Actual emissions" means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (f) (ii) through (iv) of this section.

(ii) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The Administrator shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(iii) The Administrator may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(iv) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(14) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification) of an emissions unit which would result in a change in actual emissions.

(15) "Commence" as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and either has:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(ii) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(16) "Necessary preconstruction approvals or permits" means those permits or approvals required under federal air quality control laws and regulations and those air quality control laws and regulations which are part of the applicable State Implementation Plan.

(17) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(g) This section shall not apply to a major stationary source or major modification if the source or modification was not subject to 40 CFR Part 51 Appendix S, as in effect on January 16, 1979, and the owner or operator:

(1) Obtained all final Federal, state, and local preconstruction approvals or permits necessary under the applicable State Implementation Plan before August 7, 1980;

(2) Commenced construction within 18 months from August 7, 1980, or any earlier time required under the applicable State Implementation Plan; and

(3) Did not discontinue construction for a period of 18 months or more and completed construction within a reasonable time.

(h) This section shall not apply to a source or modification that would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

(1) Coal cleaning plants (with thermal dryers);

(2) Kraft pulp mills;

(3) Portland cement plants;

(4) Primary zinc smelters;

(5) Iron and steel mills;

(6) Primary aluminum ore reduction plants;

(7) Primary copper smelters;

(8) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(9) Hydrofluoric, sulfuric, or nitric acid plants;

(10) Petroleum refineries;

(11) Lime plants;

(12) Phosphate rock processing plants;

(13) Coke oven batteries;

(14) Sulfur recovery plants;

(15) Carbon black plants (furnace process);

(16) Primary lead smelters;

(17) Fuel conversion plants;

(18) Sintering plants;

(19) Secondary metal production plants;

(20) Chemical process plants;

(21) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(22) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(23) Taconite ore processing plants;

(24) Glass fiber processing plants;

(25) Charcoal production plants;

(26) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;

(27) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

(i) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then:

(1) If the construction moratorium imposed pursuant to this section is still in effect for the nonattainment area in which the source or modification is located, then the permit may not be so revised; or

(2) If the construction moratorium is no longer in effect in that area, then the requirements of 40 CFR 51.165(a) shall apply to the source or modification as though construction had not yet commenced on the source or modification.

(j) This section does not apply to major stationary sources or major modifications locating in a clearly defined part of a nonattainment area (such as a political subdivision of a State), where EPA finds that a plan which meets the requirements of Part D is in effect and is being implemented in that part.

(k) For an area designated as nonattainment after July 1, 1979, the restrictions in paragraphs (a) and (b) of this section shall not apply prior to eighteen months after the date the area is designated as nonattainment. The Offset Ruling shall govern permits to construct and operate applied for during the period between the date of designation as nonattainment and either the date the Part D plan is approved or the date the restrictions in paragraphs (a) and (b) of this section apply, whichever is earlier.

[44 FR 38473, July 2, 1979, as amended at 45 FR 31312, May 13, 1980; 45 FR 52746, Aug. 7, 1980; 45 FR 65209, Oct. 2, 1980; 46 FR 41498, Aug. 17, 1981; 46 FR 50771, Oct. 14, 1981; 47 FR 27561, June 25, 1982; 48 FR 50697, Nov. 2, 1983; 49 FR 43210, Oct. 26, 1984; 51 FR 40677, Nov. 7, 1986; 52 FR 24367, June 30, 1987; 52 FR 24715, July 1, 1987]

§ 52.25 Date for submission of Set II CTG regulations.

Wherever the "Approval Status" section of a subpart states that continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements for sources covered by CTGs issued between January 1978 and January 1979 (Set II CTGs) by July 1, 1980, the date for adoption and submittal of Set II CTG regulations is revised to read January 1, 1981.

[45 FR 78122, Nov. 25, 1980]

§ 52.26 Visibility monitoring strategy.

(a) *Plan Disapprovals.* The provisions of this section are applicable to any State implementation plan which has been disapproved with respect to visibility monitoring. Specific disapprovals are listed where applicable in Subparts B through DD of this part. The provisions of this section have been incorporated by reference into the applicable implementation plan for various States, as provided in Subparts B through DDD of this part.

(b) *Definitions.* For the purposes of this section:

(1) "Visibility protection area" means any area listed in 40 CFR 81.401-81.436 (1984).

(2) All other terms shall have the meaning ascribed to them in the Clean Air Act, or in the protection of visibility program (40 CFR 51.301), all as in effect on July 12, 1985.

(c) *Monitoring Requirements.* (1) The Administrator, in cooperation with the appropriate Federal land manager, shall monitor visibility within each visibility protection area in any State whose State implementation plan is subject to a disapproval for failure to satisfy 40 CFR 51.305 (1984).

(2) The Administrator, in monitoring visibility within each such area, shall determine both background visibility conditions and reasonably attributable visibility impairment caused by a source or small group of sources for that area. The extent and the form of monitoring shall be sufficient for use in determining the potential effects of a new stationary source on visibility in the area, the stationary source or sources that are causing any visibility impairment, and progress toward remedying that impairment.

(3) The Administrator shall use the following as appropriate to monitor visibility within each such area: (i) photographic cameras, (ii) fine particulate matter samplers, (iii) teleradiometers (iv) nephelometers, (v) human observation, or (vi) other appropriate technology.

(4) The Administrator, in cooperation with the Federal land managers, shall prepare monitoring plans that describe, to the maximum extent practicable, the methods and instruments of data collection, the monitoring locations and frequencies, the implementation schedule, the quality assurance procedures, and the methods of data reporting that the Administrator will use for each area. The Administrator shall make these plans available to the public.

(5) The Administrator shall establish a central repository of monitoring data that includes any data on background visibility conditions and reasonably attributable impairment that the Administrator collects under this section and that the Federal land manager may collect or may have collected independently. These data shall be available to any person, subject to reasonable charges for copying.

(d) *Monitoring Plan Revision.* (1) The Administrator shall review the monitoring plan annually for each visibility protection area, revise it as necessary, and include an assessment of changes to visibility conditions since the last review. The Administrator shall make all plan revisions available to the public.

(2) Any person may make a request to the Administrator, at any time, for a revision to a monitoring plan. The Administrator shall respond to any such request within one year.

(e) *Delegation.* The Administrator may delegate, with respect to a particular visibility protection area, any of his functions under this section to any State of local air pollution control agency of any State whose boundaries encompass that area or to any Federal land manager with jurisdiction over the area.

[50 FR 28550, July 12, 1985]

§ 52.27 Protection of visibility from sources in attainment areas.

(a) *Plan disapproval.* The provisions of this section are applicable to any State implementation plan which has been disapproved with respect to protection of visibility, in mandatory Class I Federal areas, from sources emitting pollutants in any portion of any State where the existing air quality is better than the national ambient air quality standards for such pollutants, and where a State PSD program has been approved as part of the applicable SIP pursuant to 40 CFR 51.24. Specific disapprovals are listed where applicable in Subparts B through DDD of this part. The provisions of this section have been incorporated by reference into the applicable implementation plans for various States, as provided in Subparts B through DDD of this part.

(b) *Definitions.* For purposes of this section, all terms shall have the meaning ascribed to them in the Clean Air Act, in the prevention of significant deterioration (PSD) program approved as part of the applicable SIP pursuant to 40 CFR 51.24 for the State, or in the protection of visibility program (40 CFR 51.301), all as in effect on July 12, 1985.

(c) *Federal visibility analysis.* Any person shall have the right, in connection with any application for a permit to construct a major stationary source or major modification, to request that the administrator take responsibility from the State for conducting the required review of a proposed source's impact on visibility in any Fedral Class I area. If requested, the Administrator shall take such responsibility and conduct such review pursuant to paragraphs (e), (f) and (g) of this section in any case where the State fails to provide all of the procedural steps listed in paragraph (d) of this section. A request pursuant to this paragraph must be made within 60 days of the notice soliciting public comment on a permit, unless such notice is not properly given. The Administrator will not entertain requests challenging the substance of any State action concerning visibility where the State has provided all of the procedural steps listed in paragraph (d) of this section.

(d) *Procedural steps in visibility review.* (1) The reviewing authority must provide written notification to all affected Federal land managers of any permit application for any proposed new major stationary source or major modification that may affect visibility in any Federal Class I area. Such notification shall include a copy of all information relevant to the permit application and shall be given within 30 days of receipt and at least 60 days prior to any public hearing on the application for a permit to construct. Such notification shall include the proposed source's anticipated impacts on visibility in any Federal Class I area as provided by the applicant. Notification must also be given to all affected Federal land managers within 30 days of receipt of any advance notification of any such permit application.

(2) The reviewing authority must consider any analysis performed by the Federal land managers, provided within 30 days of the notification required by paragraph (d)(1) of this section, that shows that such proposed new major stationary source or major modification may have:

(i) An adverse impact on visibility in any Federal Class I area, or

(ii) An adverse impact on visibility in an integral vista codified in Part 81 of this title.

(3) Where the reviewing authority finds that such an analysis does not demonstrate that the effect in paragraphs (d)(2) (i) or (ii) of this section will occur, either an explanation of its decision or notification as to where the explanation can be obtained must be included in the notice of public hearing.

(4) Where the reviewing authority finds that such an analysis does demonstrate that the effect in paragraph

(d)(2)(i) of this section will occur, the permit shall not be issued.

(5) Where the reviewing authority finds that such an analysis does demonstrate that the effect in paragraph (d)(2)(ii) of this section will occur, the reviewing authority may issue a permit if the emissions from the source or modification will be consistent with reasonable progress toward the national goal. In making this decision, the reviewing authority may take into account the costs of compliance, the time necessary for compliance, the energy and nonair quality environmental impacts of compliance, and the useful life of the source.

(e) *Federal land manager notification.* The Administrator shall provide all of the procedural steps listed in paragraph (d) of this section in conducting reviews pursuant to this section.

(f) *Monitoring.* The Administrator may require monitoring of visibility in any Federal Class I area near the proposed new stationary source or major modification for such purposes and by such means as the Administrator deems necessary and appropriate.

(g) *Public participation.* The Administrator shall follow the applicable procedures at 40 CFR Part 124 in conducting reviews under this section. The Administrator shall follow the procedures at 40 CFR 52.21(q) as in effect on August 7, 1980, to the extent that the procedures of 40 CFR Part 124 do not apply.

(h) *Federal permit.* In any case where the Administrator has made a finding that a State consistently fails or is unable to provide the procedural steps listed in paragraph (d) of this section, the Administrator shall require all prospective permit applicants in such State to apply directly to the Administrator, and the Administrator shall conduct a visibility review pursuant to this section for all permit applications.

[50 FR 28551, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

§ 52.28 Protection of visibility from sources in nonattainment areas.

(a) *Plan disapproval.* The provisions of this section are applicable to any State implementation plan which has been disapproved with respect to protection of visibility, in mandatory Class I Federal areas where visibility is considered an important value, from sources emitting pollutants in any portion of any State where the existing air quality is not in compliance with the national ambient air quality standards for such pollutants. Specific disapprovals are listed where applicable in Subparts B through DDD of this part. The provisions of this section have been incorporated into the applicable implementation plans for various States, as provided in Subparts B through DDD of this part.

(b) *Definitons.* For the purposes of this section:

(1) "Visibility protection area" means any area listed in 40 CFR 81.401-81.436 (1984).

(2) All other terms shall have the meaning ascribed to them in the protection of visibility program (40 CFR 51.301) or the prevention of significant deterioration (PSD) program either approved as part of the applicable SIP pursuant to 40 CFR 51.24 or in effect for the applicable SIP pursuant to 40 CFR 52.21, all as in effect on July 12, 1985.

(c) *Review of major stationary sources and major modifications—source applicability and exemptions.* (1) No stationary source or modification to which the requirements of this section apply shall begin actual construction without a permit which states that the stationary source or modification would meet those requirements. The Administrator has sole authority to issue any such permit unless the authority has been delegated pursuant to paragraph (l) of this section.

(2) The requirements of this section shall apply to construction of any new major stationary source or major modification that would both be constructed in an area classified as nonattainment under section 107(d)(1)(A), (B) or (C) of the Clean Air Act and potentially have an impact on visibility in any visibility proctection area.

(3) The requirements of this section shall apply to any such major stationary source and any such major modification with respect to each pollutant subject to regulation under the Clean

Air Act that it would emit, except as this section otherwise provides.

(4) The requirements of this section shall not apply to a particular major stationary source or major modification, if:

(i) The source or modification would be a nonprofit health or nonprofit educational institution, or a major modification would occur at such an institution, and the governor of the State in which the source or modification would be located requests that it be exempt from those requirements; or

(ii) The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

(A) Coal cleaning plants (with thermal dryers);

(B) Kraft pulp mills;

(C) Portland cement plants;

(D) Primary zinc smelters;

(E) Iron and steel mills;

(F) Primary aluminum ore reduction plants;

(G) Primary copper smelters;

(H) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(I) Hydrofluoric, sulfuric, or nitric acid plants;

(J) Petroleum refineries;

(K) Lime plants;

(L) Phosphate rock processing plants;

(M) Coke oven batteries;

(N) Sulfur recovery plants;

(O) Carbon black plants (furnace process);

(P) Primary lead smelters;

(Q) Fuel conversion plants;

(R) Sintering plants;

(S) Secondary metal production plants;

(T) Chemical process plants;

(U) Fossil-fuel boiler (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(W) Taconite ore processing plants;

(X) Glass fiber processing plants;

(Y) Charcoal production plants;

(Z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;

(AA) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act; or

(iii) The source is a portable stationary source which has previously received a permit under this section, and

(A) The owner or operator proposes to relocate the source and emissions of the source at the new location would be temporary; and

(B) The emissions from the source would not exceed its allowable emissions; and

(C) The emissions from the source would impact no Class I area and no area where an applicable increment is known to be violated; and

(D) Reasonable notice is given to the Administrator, prior to the relocation, identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the Administrator not less than 10 days in advance of the proposed relocation, unless a different time duration is previously approved by the Administrator.

(5) The requirements of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in an area designated as attainment under section 107 of the Clean Air Act.

(6) The requirements of this section shall not apply to a major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from the source, or the net emissions increase of that pollutant from the modification:

(i) Would impact no Class I area and no area where an applicable increment is known to be violated, and

(ii) Would be temporary.

(d) *Visibility Impact Analyses.* The owner or operator of a source shall provide an analysis of the impairment to visibility that would occur as a result of the source or modification and general commercial, residential, industrial and other growth associated with the source or modification.

(e) *Federal land manager notification.* (1) The Federal land manager and the Federal official charged with direct responsibility for management of Federal Class I areas have an affirmative responsibility to protect the air quality related values (including visibility) of such lands and to consider, in consultation with the Administrator, whether a proposed source or modification will have an adverse impact on such values.

(2) The Administrator shall provide written notification to all affected Federal land managers of any permit application for any proposed new major stationary source or major modification that may affect visibility in any visibility protection area. The Administrator shall also provide for such notification to the Federal official charged with direct responsibility for management of any lands within any such area. Such notification shall include a copy of all information relevant to the permit application and shall be given within 30 days of receipt and at least 60 days prior to any public hearing on the application for a permit to construct. Such notification shall include an analysis of the proposed source's anticipated impacts on visibility in any visibility protection area. The Administrator shall also notify all affected FLM's within 30 days of receipt of any advance notification of any such permit application.

(3) The Administrator shall consider any analysis performed by the Federal land manager, provided within 30 days of the notification required by paragraph (e)(2) of this section, that such proposed new major stationary source or major modification may have an adverse impact on visibility in any visibility protection area. Where the Administrator finds that such an analysis does not demonstrate to the satisfaction of the Administrator that an adverse impact on visibility will result in the visibility protection area, the Administrator must, in the notice of public hearing, either explain his decision or give notice as to where the explanation can be obtained.

(f) *Public participation.* The Administrator shall follow the applicable procedures of 40 CFR Part 124 in processing applications under this section. The Administrator shall follow the procedures at 40 CFR 52.21(q) as in effect on August 7, 1980, to the extent that the procedures of 40 CFR Part 124 do not apply.

(g) *National visibility goal.* The Administrator shall only issue permits to those sources whose emissions will be consistent with making reasonable progress toward the national goal of preventing any future, and remedying any existing, impairment of visibility in visibility protection areas which impairment results from man-made air pollution. In making the decision to issue a permit, the Administrator may take into account the costs of compliance, the time necessary for compliance, the energy and nonair quality environmental impacts of compliance, and the useful life of the source.

(h) *Monitoring.* The Administrator may require monitoring of visibility in any visibility protection area near the proposed new stationary source or major modification for such purposes and by such means as the Administrator deems necessary and appropriate.

(i) *Delegation of authority.* (1) The Administrator shall have the authority to delegate the responsibility for conducting source review pursuant to this section to any agency in accordance with paragraphs (i)(2) and (3) of this section.

(2) Where the Administrator delegates the responsibility for conducting source review under this section to any agency other than a Regional Office of the Environmental Protection Agency, the following provisions shall apply:

(i) Where the delegate agency is not an air pollution control agency it shall consult with the appropriate State and local air pollution control agency prior to making any determination under this section. Similarly, where the delegate agency does not have continuing responsibility for managing land use, it shall consult with the appropriate State and local agency primarily responsible for managing land use prior to making any determination under this section.

(ii) The delegate agency shall submit a copy of any public comment notice required under paragraph (f) of this section to the Administrator through the appropriate Regional Office.

(3) The Administrator's authority for reviewing a source or modification located on an Indian Reservation shall not be redelegated other than to a Regional Office of the Environmental Protection Agency, except where the State has assumed jurisdiction over such land under other laws. Where the State has assumed such jurisdiction, the Administrator may delegate his authority to the States in accordance with paragraph (i)(2) of this section.

[50 FR 28551, July 12, 1985]

§ 52.29 Visibility long-term strategies.

(a) *Plan disapprovals.* The provisions of this section are applicable to any State implementation plan which has been disapproved for not meeting the requirements of 40 CFR 51.306 regarding the development, periodic review, and revision of visibility long-term strategies. Specific disapprovals are listed where applicable in Subparts B through DDD of this part. The provisions of this section have been incorporated into the applicable implementation plan for various States, as provided in Subparts B through DDD of this part.

(b) *Definitions.* For the purposes of this section, all terms shall have the meaning as ascribed to them in the Clean Air Act, or in the protection of visibility program (40 CFR 51.301).

(c) *Long-term strategy.* (1) A long-term strategy is a 10- to 15-year plan for making reasonable progress toward the national goal specified in § 51.300(a). This strategy will cover any existing impairment certified by the Federal land manager and any integral vista which has been identified according to § 51.304.

(2) The Administrator shall review, and revise if appropriate, the long-term strategies developed for each visibility protection area. The review and revisions will be completed no less frequently than every 3 years from November 24, 1987.

(3) During the long-term strategy review process, the Administrator shall consult with the Federal land managers responsible for the appropriate mandatory Class I Federal areas, and will coordinate long-term strategy development for an area with existing plans and goals, including those provided by the Federal land managers.

(4) The Administrator shall prepare a report on any progress made toward the national visibility goal since the last long-term strategy revisions. A report will be made available to the public not less frequently than 3 years from November 24, 1987. This report must include an assessment of:

(i) The progress achieved in remedying existing impairment of visibility in any mandatory Class I Federal area;

(ii) The ability of the long-term strategy to prevent future impairment of visibility in any mandatory Class I Federal area;

(iii) Any change in visibility since the last such report, or in the case of the first report, since plan approval;

(iv) Additional measures, including the need for SIP revisions, that may be necessary to assure reasonable progress toward the national visibility goal;

(v) The progress achieved in implementing best available retrofit technology (BART) and meeting other schedules set forth in the long-term strategy;

(vi) The impact of any exemption granted under § 51.303;

(vii) The need for BART to remedy existing visibility impairment of any integral vista identified pursuant to § 51.304.

(d) *Delegation of authority.* The Administrator may delegate with respect to a particular visibility protection area any of his functions under this section, except the making of regulations, to any State or local air pollution control agency of any State whose boundaries encompass that area.

[52 FR 45137, Nov. 24, 1987]

Subpart B—Alabama

§ 52.50 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the State of Alabama."

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Letter informing Governor of Florida of submittal of Alabama Implementation Plan submitted on March 21, 1972, by the Alabama Air Pollution Control Commission.

(2) Compliance schedules submitted on April 18, 1972, by the Alabama Air Pollution Control Commission.

(3) Clarifying comments on the plan submitted on April 28, 1972, by the Alabama Air Pollution Control Commission.

(4) Semi-annual report, miscellaneous non-regulatory additions to the plan, compliance schedules and miscellaneous regulatory additions to Chapters 3, 4, 5 and 9 submitted on February 15, 1973, by the Alabama Air Pollution Control Commission.

(5) Transportation control plans submitted on April 24, 1973, by the Alabama Air Pollution Control Commission.

(6) Miscellaneous non-regulatory additions to the plan submitted on June 29, 1973, by the Alabama Air Pollution Control Commission.

(7) Miscellaneous non-regulatory additions and complex source regulation, Chapter 10, submitted on September 26, 1973, by the Alabama Air Pollution Control Commission.

(8) Plan revisions to Chapter 5 concerning sulfur compound emissions submitted on October 31, 1973, by the Alabama Air Pollution Control Commission.

(9) Revision to Part 4.10, Primary Aluminum Plants, and redefinition of "Solid Particulate Matter" in section 1.2.1 submitted on May 27, 1974, by the Alabama Air Pollution Control Commission.

(10) AQMA identifications submitted on June 17, 1974, by the Alabama Air Pollution Control Commission.

(11) Coke oven regulations, Part 4.9 excluding section 4.9.4, submitted on June 20, 1974, by the Alabama Air Pollution Control Commission.

(12) Revised limits on particulate emissions from Portland cement plants, submitted on June 4, 1975, by the Alabama Air Pollution Control Commission.

(13) Revised limits on sulfur dioxide and sulfuric acid mist emissions from sulfuric acid plants, submitted on July 25, 1975, by the Alabama Air Pollution Control Commission.

(14) Revised area classification system for fuel combustion sources of sulfur dioxide and initial classification of Counties, submitted on May 1 and October 9, 1975, respectively, by the Alabama Air Pollution Control Commission.

(15) Revised emergency level for photochemical oxidants (emergency episode control plan) submitted by the Alabama Air Pollution Control Commission on April 23, 1976.

(16) Revised SO_2 emissions from gas processing plants submitted by the Alabama Air Pollution Control Commission on July 21, 1976.

(17) Regulations equivalent to EPA's New Source Performance Standards (40 CFR Part 60) and continuous monitoring requirements for existing stationary sources (40 CFR 51.19), submitted by the Alabama Air Pollution Control Commission on October 28, 1976.

(18) Revised regulations for the charging and pushing of coke in existing conventional batteries, submitted by the Alabama Air Pollution Control Commission on July 14, 1978.

(19) Part 4.12, dealing with particulate emissions from xylene oxidation, submitted by the Alabama Air Pollution Control Commission on September 13, 1978.

(20) 1979 implementation plan revisions for nonattainment areas (TSP and ozone), submitted on April 19, 1979, (as clarified by a letter of August 10, 1979), by the Alabama Air Pollution Control Commission.

(21) Revisions in permit regulations as follows: (i) Title of 16.3.2. is changed to "Permits to Construct in or near Nonattainment Areas;" (ii) a subparagraph (9), "Significant Impact," is added to paragraph 16.3.2.(b); (iii) paragraph 16.3.2.(c) is revised; and (iv) subparagraph 16.3.2.(d)(5) is deleted; these revisions were adopted on February 13, 1980, and submitted on February 20, 1980, by the Alabama Air Pollution Control Commission to correct deficiencies in the Part D revisions given conditional approval by EPA on November 26, 1979.

(22) 1979 implementation plan revisions for sulfur dioxide nonattainment areas in Colbert, Lauderdale, and Jackson Counties, adopted on August 28, 1979, and submitted on September 6, 1979 by the Alabama Air Pollution Control Commission.

(23) Request for an 18-month extension of the statutory deadline for submitting a plan to attain and maintain the secondary standard for sulfur dioxide in the Jackson County nonattainment area, submitted on September 6, 1979, by the Alabama Air Pollution Control Commission.

(24) Revision to the State Implementation Plan to delete the indirect source regulations submitted by the Alabama Air Pollution Control Commission on December 12, 1978.

(25) Revised emergency episode control plan, updating procedures and raising the alert level for ozone from 0.10 ppm to 0.15 ppm, submitted by the Alabama Air Pollution Control Commission on January 11, 1980.

(26) Revision to the State Implementation Plan for an air quality surveillance network was submitted by the Alabama Air Pollution Control Commission on January 9, 1980.

(27) Alternative compliance schedules for nine sources of volatile organic compounds, submitted by the Alabama Air Pollution Control Commission on July 3, 1980.

(28) Revisions to Chapter 6 of the Alabama Rules and Regulations were submitted by the Alabama Air Pollution Control Commission on April 1, 1981.

(29) Alternative TSP control strategy for 3M Company's Guin plant, submitted on February 4, 1981, by the Alabama Air Pollution Control Commission.

(30) Revisions in Chapters 12 and 13, adopting Federal NSPS and NESHAPS regulations by reference, submitted by the Alabama Air Pollution Control Commission on June 26, 1981.

(31) Alternative compliance schedules for VOC sources, submitted on June 25, 1981, by the Alabama Air Pollution Control Commission.

(32) Regulations providing for prevention of significant deterioration (additions to Chapter 16 of the Alabama regulations), submitted on January 29, 1981, by the Alabama Air Pollution Control Commission.

(33) Alternative particulate control requirements for Kimberly-Clark Corporation's #3 bark boiler, Coosa Pines (revisions in Part 4.8 of the Alabama regulations), submitted by the Alabama Air Pollution Control Commission on February 4 and August 31, 1981.

(34) Request for 18-month extension of the deadline for submitting a plan to attain and maintain the secondary ambient standard for particulate matter in the Etowah County nonattainment area, submitted on May 19, 1981, by the Alabama Air Pollution Control Commission.

(35) Revision for Jackson County secondary sulfur dioxide nonattainment area, submitted on June 9, 1980, by the Alabama Air Pollution Control Commission.

(36) Set II VOC regulations, submitted on February 12, 1982, by the Alabama Air Pollution Control Commission and on May 5, 1983, by the Alabama Department of Environmental Management.

(37) Provisions for new source review in nonattainment areas (changes in Chapter 16 of the regulations), submitted on March 31, 1981, by the Alabama Air Pollution Control Commission.

(38) Bubble for Union Camp Corporation's Prattville, Alabama kraft pulp mill, submitted on January 21, 1983, January 20, 1984, and March 9, 1984, by the Alabama Department of Environmental Management (ADEM).

(i) Incorporation by reference.

(A) Alabama Department of Environmental Management Resolution and Regulation 4.8.4, dealing with control of particulate emissions from wood waste boilers, was adopted on December 9, 1983.

(B) Alabama Environmental Management Commission Resolution and Regulation 4.7.5, dealing with particulate emissions from kraft pulp mills, was adopted on March 7, 1984.

(ii) Other material.

(A) None.

(39) Changes to air permit requirements, submitted on February 19, 1985, and on March 28, 1985, by the

Alabama Department of Environmental Management (ADEM).

(i) Incorporation by reference.

(A) Amendment to ADEM Air Rules & Regulations Chapter 16.1, submitted on March 28, 1985, and State-adopted on March 13, 1985. Allows delegation of permitting authority to locals.

(B) Amendment to ADEM Air Rules & Regulations Chapter 16.1, 16.2, 16.3, and 16.4, submitted on February 19, 1985, and State-adopted on February 13, 1985. Consolidates Permit to Construct, Operate and Temporary Permit, into one Air Permit.

(ii) Additional information.

(A) None.

(40) Visibility new source review regulations as visibility monitoring strategy were submitted to EPA on November 20, 1985.

(i) Incorporated by reference.

(A) Letter of November 20, 1985, from the Alabama Department of Environmental Management, and the following regulation Changes to Paragraphs 16.3.2 and 16.4 to Address Visibility Requirements adopted by the Alabama Environmental Management Commission on November 13, 1985:

16.3.2(b)—(Permits to Construct in or Near Nonattainment Areas—Definitions)
16.3.2(f)—(Permits to construct in or Near Nonattainment Areas—visibility protection provisions)
16.4.2—(Permits to Construct in Clean Air Areas—Definitions)
16.4.12—(Visibility Monitoring)
16.4.15—(Sources Impacting Federal Class I Areas—Additional Requirements)

(ii) Additional material.

(A) Narrative Visibility SIP which includes the State's visibility monitoring strategy.

(41) State implementation plan revisions, submitted by the Department of Environmental Management on May 17, 1985.

(i) Incorporation by reference.

(A) Amendments to Alabama Department of Environmental Management's (ADEM) Air Rules and Regulations: addition of Paragraphs 4.3.5, 4.7.6, 4.7.7, 4.8.3(a), 4.8.3(b), 4.8.3(c), revision of Paragraph 4.8.3, adopted on October 10, 1984.

(B) Resolution by the Alabama Environmental Management Commission adopting the proposed regulations into the ADEM's Air Rules and Regulations on October 10, 1984.

(ii) Other material.

(A) Dispersion modelling of area around Kimberly Clark Corporation's Talledega County facility.

(42) State implementation plan for attainment and maintenance of the lead standards in all areas except Jefferson County, submitted on March 28, 1985, by the Alabama Department of Environmental Management.

(i) Incorporation by reference.

(A) Regulation for existing secondary lead smelters located in Pike County, Alabama (Regulation 4.15.6), which was adopted by the Alabama Department of Environmental Management on March 13, 1985. Under applicable law, EPA approval is required for discretionary actions of the Director of the Alabama Department of Environmental Management that may increase lead concentrations in the ambient air.

(B) Letter of May 6, 1985 from Ababama Department of Environmental Management to EPA, and Regulation pertaining to secondary lead smelter exhaust stack gases (Regulation 4.15.3), which was adopted by the Alabama Air Pollution Control Commission on March 23, 1982.

(ii) Other material.

(A) Narrative SIP, titled, "State of Alabama's Plan for the Attainment of the National Ambient Air Quality Standard for Lead," dated December 1984.

(43) [Reserved]

(44) Volatile Organic Compound regulation changes were submitted to EPA on September 23, 1985.

(i) Incorporation by reference. (A) Letter of September 23, 1985 to EPA from Alabama Department of Environmental Management and changes to Chapter 6 of the Alabama Air Pollution Control Rules and Regulations (Control of Volatile Organic Compounds) which were adopted by the Alabama Environmental Management Commission on September 18, 1985, specifically, the revisions to 6.1.1(a), 6.1.2, and 6.1.3 and the addition of 6.1.4 and 6.1.5.

(ii) Other material—none.

(45) State implementation plan for attainment and maintenance of lead

standards in Jefferson County, submitted on October 7, 1985, by the Alabama Department of Environmental Management, and on November 13, 1986, by the Jefferson County Health Department.

(i) Incorporation by reference.

(A) Jefferson County Department of Health Regulation 611, Secondary Lead Smelters (excluding paragraphs 6.11.2(a) and 6.11.2(b)) which was adopted on September 11, 1985.

(B) November 13, 1986, letter to EPA from the Jefferson County Department of Health, and Appendix C of the Alabama Lead SIP for Jefferson County (Revised Schedule for the RACT-plus study) which was adopted on November 12, 1986.

(ii) Other material.

(A) Narrative SIP, entitled "State Implementation Plan for the Attainment of the National Ambient Air Quality Standard for Lead in Jefferson County" dated September 1984.

(46) Stack height regulations were submitted to EPA on September 26, 1986, by the Alabama Department of Environmental Management.

(i) Incorporation by reference.

(A) Letter of September 26, 1986, from the Alabama Department of Environmental Management, transmitting stack height regulations.

(B) Section 16.3.3, Stack Heights, of the Alabama air pollution control rules and regulations, which was adopted on September 18, 1986, by the Alabama Environmental Management Commission.

(ii) Other material—none.

[37 FR 10846, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.50, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.51 Classification of regions.

The Alabama plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Alabama & Tombigbee Rivers Intrastate	II	III	III	III	III
Columbus (Georgia)-Phenix City (Alabama) Interstate	I	III	III	III	III
East Alabama Intrastate	I	III	III	III	III
Metropolitan Birmingham Intrastate	I	II	III	I	I
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	I	I	III	III	I
Southeast Alabama Intrastate	II	III	III	III	III
Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate	I	I	III	III	III

[37 FR 10847, May 31, 1972]

§ 52.52 Extensions.

(a) The Administrator hereby extends for 18 months (until July 1, 1980) the statutory deadline for submittal of a plan to attain and maintain the secondary sulfur dioxide standard in Jackson County.

(b) The Administrator hereby extends for 18 months (until December 10, 1982) the deadline for submittal of a plan to attain and maintain the secondary ambient standard for particulate matter in the Etowah County nonattainment area.

[46 FR 55107, Nov. 6, 1981, as amended at 46 FR 63044, Dec. 30, 1981]

§ 52.53 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Alabama's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 37431, June 3, 1980]

§ 52.54 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained.[1]

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lead
	Primary	Secondary	Primary	Secondary				
Alabama and Tombigbee Rivers—Intrastate	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
Columbus (Georgia)-Phenix City (Alabama) Interstate:								
a. Russell County	(c)	(d)	(c)	(d)	(d)	(d)	(c)	(i)
b. Rest of AQCR	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
East Alabama Intrastate	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
Metropolitan Birmingham Intrastate:								
a. Jefferson County*	(c)	(d)	(c)	(d)	(d)	5/31/75	(c)	(j)
b. Rest of AQCR	(c)	(d)	(c)	(d)	(d)	5/31/75	(d)	(i)
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate:								
a. Mobile County*	(c)	(f)	(c)	(d)	(d)	(d)	(c)	(i)
b. Rest of AQCR	(c)	(d)	(c)	(d)	(d)	(d)	5/31/75	(i)
Southeast Alabama Intrastate	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate:								
a. Colbert County*	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
b. Jackson County*	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
c. Lauderdale County*	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)
d. Madison County	(c)	(d)	(c)	(d)	(d)	(d)	(c)	(i)
e. Morgan County	(c)	(d)	(c)	(d)	(d)	(d)	(c)	(i)
f. Rest or AQCR	(c)	(d)	(c)	(d)	(d)	(d)	(d)	(i)

* For more precise delineation, see § 81.301 of this chapter.
[a] July 1975.
[b] 5 years from plan approval or promulgation.
[c] Air quality levels presently below primary standards or area is unclassifiable.
[d] Air quality levels presently below secondary standards or area is unclassifiable.
[e] December 31, 1982.
[f] June 1987.
[g] April 1, 1983.
[h] 18-month extension granted.
[i] March 13, 1986.
[j] March 13, 1990.

[44 FR 67379, Nov. 26, 1979, as amended at 46 FR 55107, Nov. 6, 1981; 51 FR 25367, July 14, 1986; 52 FR 4291, Feb. 11, 1987]

§ 52.55 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State.

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[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.24 (1978).

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Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
American Can Co., Permit No.:					
101-0001-W001	Naheola	4.7.2	Dec. 21, 1972	Immediately	May 31, 1975.
101-0001-W002	do	4.7.2	do	do	Do.
101-0001-W003	do	4.7.2	do	do	Do.
101-0001-W006	do	4.7.2	do	do	Do.
B. H. Harmarr Construction Co. (Asphalt Engineers, Inc.) Permit No.: 104-0007-W001.	Selma	4.4.2	Jan. 27, 1973	do	Jan. 1, 1974.
Gulf States Paper Corp., Permit No.: 105-0001- W002.	Demopolis	4.7.2	Feb. 8, 1973	do	May 31, 1975.
Claiborne Lime Plant, Permit No.: 106-0001- W001.	Claiborne	4.4.2	May 25, 1974	do	June 1, 1974.
Robinson & Smith Lumber Co., Inc., Permit No.: 205-S003-W001.	Wetumpka	3.1	Sept. 25, 1973	do	June 30, 1974.
Opelika Foundry, Permit No.: 206-0004-W001.	Opelika	4.5.1	Sept. 6, 1974	do	Aug. 31, 1974.
Buchanan Lumber Co., Inc., Permit No.: 209-S003- W001.	Montgomery	3.3.4	Jan. 8, 1974	do	Jan. 1, 1974.
West Point Pepperell, Permit No.:					
206-0007-W001		4.3.1,5.1.1	Jan. 8, 1973	do	May 31, 1975.
206-0007-W002		4.3.1,5.1.1	do	do	Do.
206-0007-W003		4.3.1,5.1.1	do	do	Do.
206-0007-W004		4.3.1,5.1.1	do	do	Do.
Capital Veneer Works Inc., Permit No.: 209-S007- W001.	Montgomery	4.8.2	do	do	Mar. 3, 1973.
Vulcan Materials Co., Southeast Division, Permit No.: 209 0014-W001.	do	4.4.1	June 12, 1973	do	Sept. 1, 1973.
Alabama Pipe Co., Permit No.:					
301-0012-W001	Anniston	4.5.1	Mar. 3, 1974	do	Feb. 31, 1975.
301-0014-W003	do	4.5.1	July 24, 1973	do	Apr. 30, 1973.
301-0014-W004	do	4.5.1	do	do	Do.
301-0015-W001	do	4.4.1	Mar. 5, 1974	do	May 31, 1974.
301-0015-W002	do	4.4.1	do	do	Do.
Dixie Clay Co., Permit No.:					
301-0002-W001	Jacksonville	4.4.1	do	do	June 30, 1974.
301-0002-W002	do	4.4.1	do	do	Do.
301-0002-W003	do	4.4.1	do	do	Do.
301-0002-W004	do	4.4.1	do	do	Do.
Donoho Clay Co., Permit No.: 301-0003-W002.	Anniston	4.4.1	Dec. 21, 1972	do	Dec. 31, 1974.
Dresser Manufacturing Division, Dresser Industries, Inc., Permit No.:					
301-0006-W001	do	4.5.1	Mar. 5, 1974	do	Sept. 1, 1974.
301-0006-W002	do	4.5.1	do	do	Do.
301-0006-W003	do	4.4.1	do	do	Mar. 31, 1975.
Kilby Steel—Division of FMC Corp., Permit No.:					
301-0022-W001	do	4.4.1	do	do	May 31, 1974.
301-0022-W002	do	4.4.1	do	do	Do.
301-0022-W003	do	4.4.1	do	do	Do.
Lee Brothers Co., Permit No.:					
301-0005-W001	do	4.4.1	May 25, 1974	do	Aug. 1, 1974.
301-0005-W010	do	4.4.1	May 24, 1974	do	May 30, 1975.
301-0005-W011	do	4.4.1	do	do	Do.
301-0005-W012	do	4.4.1	do	do	Do.
301-0005-W013	do	4.4.1	do	do	Do.
301-0005-W014	do	4.4.1	do	do	Do.
301-0005-W015	do	4.4.1	do	do	Do.
301-0005-W016	do	4.4.1	do	do	Do.
301-0005-W017	do	4.4.1	do	do	Do.
301-0005-W018	do	4.4.1	do	do	Do.
301-0005-W019	do	4.4.1	do	do	Do.
Kimberly Clarke Corp., Permit No. 304-S001-W001.	Mellow Valley	3.3.4	Mar. 5, 1974	do	April 1, 1974.
West Point Pepperell, Permit No.:					
302-0003-W005		4.3.2	Feb. 6, 1973	do	May 30, 1975.

ALABAMA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
302-0004-W006		4.3.2	do	do	Do.
302-0004-W007		4.3.2	do	do	Do.
302-0006-W008		4.3.2	do	do	Do.
302-0006-W009		4.3.2	do	do	Do.
Republic Steel, Permit No.: 307-0008-W034.	Gadsden	4.4.1	Dec. 11, 1972	do	May 31, 1975.
Unexcelled Manufacturing Division, Permit No.: 307-0009-W002.	Attalla	4.5.1,7.1	Apr. 24, 1973	do	May 1, 1974.
Alabama Calcium Products, Division of G. A. Marble Co., Permit No.:					
309-0001-W001	Gantt's Quarry	4.4.1	May 24, 1974	do	June 15, 1974.
309-0001-W002	do	4.4.1	do	do	Aug. 15, 1974.
Newbury Manufacturing Co., Permit No.:					
309-0010-W001	Talladega	4.5.1	Nov. 27, 1973	do	Aug. 1, 1974.
309-0010-W002	do	4.5.1	do	do	Do.
309-0010-W003	do	4.4.1	do	do	Do.
309-0010-W004	do	4.4.1	Dec. 11, 1972	do	Apr. 1, 1973.
Talladega Foundry Machine Co., Permit No.: 309-0011-W001.	do	4.5.1	Mar. 5, 1974	do	Jan. 31, 1975.
Russell Pipe & Foundry Co., Inc., Permit No.: 310-0007-W001.	Alexander City	4.5.1,7.1	July 29, 1974	do	Aug. 15, 1974.
Southern Stone Co., Permit No.:					
401-0007-W001	Woodstock	4.4.1	do	do	Apr. 1, 1974.
401-0007-W002	do	4.2.1,4.2.2	do	do	Do.
401-0007-W003	do	4.2.1,4.2.2	do	do	Do.
401-0007-W004	do	4.2.1,4.2.2	do	do	Do.
401-0007-W005	do	4.2.1,4.2.2	do	do	Do.
401-0007-W006	do	4.2.1,4.2.2	do	do	Do.
401-0007-W007	do	4.2.1,4.2.2	do	do	Do.
401-0007-W008	do	4.2.1,4.2.2	do	do	Aug. 15, 1974.
401-0007-W009	do	4.2.1,4.2.2	do	do	Do.
Fayco, Inc., Permit No.: 404-0003-W001.	Fayette	4.4.1	Nov. 27, 1973	do	Jan. 1, 1974.
Summerville Bros. Lumber Co., Inc., Permit No.: 409-S010-W001.	Aliceville	3.3.4	do	do	July 15, 1974.
Alabama Refractory Clay Co., Permit No. 411-0020- W002.	Montevallo	4.4.1	May 24, 1974	do	June 1, 1974.
Cheney Lime & Cement Co., Permit No. 411-0019-W001.	Landmark	4.4.1	Jan. 8, 1973	do	Sept. 15, 1974.
Longview Lime Co., Permit No.:					
411-0002-W001	Saginaw	4.4.1	May 24, 1974	do	Dec. 15, 1974.
411-0002-W002	do	4.4.1	do	do	Do.
Montevallo Limestone Co., Permit No.: 411-0014-W002	Montevallo	4.2.1,4.2.2	Mar. 27, 1973	do	Apr. 9, 1973.
Southern Foundry Co., Permit No.: 411-0006- W001.	Calera	4.5.1	Mar. 5, 1974	do	Jan. 1, 1975.
Southern Stone Co., Permit No.:					
411-0009-W001	Maylene	4.2.1, 4.2.2	Jan. 8, 1973	do	June 1, 1974.
411-0009-W002	do	4.2.1,4.2.2	do	do	Do.
U.S. Gypsum Co. (Allied Production Co.), Permit No.:					
411-0008-W002	Montevallo	4.4.1	Mar. 5, 1974	do	Apr. 1, 1975.
411-0008-W003	do		do	do	May 31, 1975.
Tombigbee Lightweight Aggregate Corp., Permit No.:					
412-0009-W001	Livingston	4.4.1	Sept. 25, 1973	do	Nov. 30, 1973.
412-0005-W003	do	4.4.1	do	do	Do.
Alabama Power Co., Gorgas Electric Generating Plant, Permit No.: 414-0001- W003.	Parrish	4.3.1,5.1.1, 5.1.2	June 12, 1973	do	May 31, 1975.
Warren Brothers Co., Permit No.: 705-0006- W001.	Scottsboro	4.4.1	May 24, 1974	do	May 30, 1974.
Mosaic Tile Co., Permit No.:					
706-0004-W001	Florence	4.4.1	Dec. 11, 1972	do	Aug. 1, 1974.
706-0004-W002	do	4.4.1	do	do	Do.

ALABAMA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
706-0004-W003	......do	4.4.1	......do	......do	Do.
706-0004-W004	......do	4.4.1	......do	......do	Do.
The Thomas Alabama Kaolin Co., Permit No.: 710-0005-W001.	Hackleburg	4.4.1	......do	......do	Dec. 31, 1974.
C. A. Langford Co., Inc., Permit No.:					
711-0002-W001	Guntersville	4.4.1	......do	......do	Apr. 1, 1974.
711-0002-W002	......do	4.2.1,4.2.2	Jan. 8, 1973	......do	Dec. 15, 1973.
Amoco Chemicals Corp., Permit No.:					
712-0002-W010	Decatur	4.4.1	......do	......do	Do.
712-0002-W014	......do	4.4.1	Mar. 5, 1974	......do	Dec. 31, 1974.
G & W Asphalt Co., Inc., Permit No.: 712-0007- W001.	......do	4.4.1	......do	......do	May 15, 1973.
Trinity Stone Co., Inc. (Trinity Quarries Inc.), Permit No.: 712-0012-W004.	Trinity	4.2.1,4.2.2	Dec. 11, 1972	......do	June 19, 1973.
Trinity Stone Co., Inc. (Trinity Quarries, Inc.), Permit No.: 712-0013-W001.	Hulaco	4.2.1,4.2.2	Mar. 5, 1974	......do	May 15, 1974.
Trinity Stone Co., Inc. (Trinity Quarries, Inc.), Permit No.:					
712-0014-W001	Lacon	4.2.1,4.2.2	......do	......do	Do.
712-0014-W002	......do	4.2.1,4.2.2	......do	......do	Do.
JEFFERSON COUNTY					
American Cast Iron Pipe Co., Permit No.:					
407-0030-2107	Birmingham	6.1,6.4	June 19, 1974	Apr. 1, 1975	Sept. 30, 1974.
407-0030-2108	......do	6.4	......do	......do	May 31, 1975.
407-0030-2109	......do	6.4	......do	......do	Do.
407-0030-2110	......do	6.4	......do	......do	Do.
407-0030-2111	......do	6.4	......do	......do	Do.
407-0030-2112	......do	6.4	......do	......do	Do.
407-0030-2113	......do	6.4	......do	......do	Do.
407-0030-2119	......do	6.1,6.4,9.1	July 18, 1973	......do	Aug. 1, 1974.
407-0030-2120	......do	6.1,6.4,9.1	......do	......do	Do.
407-0030-2121	......do	6.1,6.4,9.1	......do	......do	Do.
407-0030-2122	......do	6.1,6.4,9.1	July 18, 1974	......do	Do.
407-0030-2123	......do	6.1,6.4,9.1	......do	......do	Do.
407-0030-2124	......do	6.1,6.4,9.1	Dec. 19, 1973	......do	Aug. 31, 1974.
407-0030-2125	......do	6.1,6.4,9.1	......do	......do	Do.
407-0030-2126	......do	6.1,6.4,9.1	......do	......do	Do.
407-0030-2127	......do	6.1,6.4,9.1	......do	......do	Do.
Barry Pattern Foundry Co., Permit No.: 407-0040-3101	......do	6.1,6.5,9.1	......do	......do	Apr. 1, 1975.
Birmingham Stove & Range, Permit No.: 407-0060-2502.	......do	6.1,6.4,9.1	Oct. 17, 1973	......do	Jan. 31, 1975.
Bristol Steel & Iron Works, Permit No.:					
407-0229-2101	Bessemer	6.1	Feb. 20, 1974	......do	July 31, 1974.
407-0229-2501	......do	6.2	......do	......do	Do.
Buchanan Lumber Co., Permit No.: 407-0065-2201.	Birmingham	6.1,6.4	......do	......do	Oct. 1, 1974.
W. J. Bullock, Inc., Permit No.:					
407-0068-2101	Fairfield	6.1,6.4	Apr. 10, 1974	......do	June 15, 1974.
407-0068-2102	......do	6.1,6.4	......do	......do	Do.
407-0068-2103	......do	6.4	Feb. 20, 1974	......do	Jan. 31, 1975.
407-0068-2104	......do	6.4	......do	......do	Do.
407-0068-2106	......do	6.4	Apr. 10, 1974	......do	July 1, 1974.
Caldwell Foundry & Machine Co., Permit No.:					
407-0470-2101	Birmingham	6.4	May 15, 1974	......do	Mar. 1, 1975.
407-0470-2102	......do	6.1,6.4	......do	......do	Do.
Caldwell Foundry & Machine Co., Permit No.: 407-0471-2101.	Leeds	6.1,6.4	Apr. 10, 1974	......do	June 15, 1974.
Celotex Corp., Permit No.:					
407-0069-2102	Birmingham	6.4	May 15, 1974	......do	Jan. 17, 1974.

ALABAMA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
407-0069-2103	do	6.4	do	do	Do.
Continental Can Co., Inc., Permit No.:					
407-0084-3101	Fairfield	6.1	Feb. 20, 1974	do	Mar. 1, 1975.
407-0084-3103	do	6.1	do	do	Do.
407-0084-3104	do	6.1	do	do	May 17, 1974.
Continental Can Co., Inc., Permit No.:					
407-0085-3101	do	6.1,6.4	June 19, 1974	do	Aug. 17, 1974.
407-0085-3104	do	6.1	Feb. 20, 1974	do	Nov. 15, 1974.
Cosper Foundry, Permit No.:					
407-0100-2101	Birmingham	6.1,6.5,9.1	Dec. 19, 1973	do	Dec. 31, 1974.
407-0100-2102	do	6.4	do	do	Sept. 30, 1974.
Fairmont Foundry Co., Permit No.: 407-0130-2101.	do	6.1,6.5,9.1	Oct. 1, 1973	do	May 11, 1975.
Goslin-Birmingham, Inc., Permit No.: 407-0139-2101.	do	6.1,6.4	May 15, 1974	do	Nov. 16, 1974.
Lone Star Cement (Citadel), Permit No.:					
407-0210-2502	do	6.1,6.4	do	do	Nov. 15, 1974.
407-0210-2503	do	6.1,6.4	do	do	Do.
407-0210-2504	do	6.1,6.4	do	do	Do.
McWane Cast Iron Pipe Co., Permit No.:					
407-0220-2101	do	6.1	do	do	Mar. 31, 1975.
407-0220-2102	do	6.1,6.4	do	do	May 31, 1975.
Stockton Valve & Fitting Co., Permit No.:					
407-0270-2503	do	6.4	Dec. 19, 1973	do	Apr. 1, 1974.
407-0270-2504	do	6.1,6.4,9.1	do	do	Sept. 1, 1974.
U.S. Gypsum Co., Permit No.:					
407-0300-2501	do	6.4	Apr. 10, 1974	do	Apr. 15, 1974.
U.S. Pipe & Foundry Co., Permit No.:					
407-0350-2301	do	6.3	Oct. 17, 1973	do	Nov. 1, 1974.
407-0350-2303	do	6.3	do	do	Do.
407-0350-2304	do	6.3	do	do	Do.
407-0350-2310	do	6.3	do	do	Do.
407-0350-2311	do	6.3	do	do	Do.
407-0350-2312	do	6.3	do	do	Do.
U.S. Steel Corp., Permit No.:					
407-0370-2101	Fairfield	6.1,6.4	June 19, 1974	do	Aug. 15, 1974.
407-0370-2102	do	6,1,6.4	do	do	Do.
407-0370-2103	do	6.1,6.4	do	do	Do.
407-0370-2104	do	6.1,6.4	do	do	July 31, 1974.
407-0370-2105	do	6.1,6.4	do	do	Aug. 31, 1974.
407-0370-2106	do	6.1,6.4	do	do	Dec. 1, 1974.
407-0370-2107	do	6.1,6.4	do	do	Do.
407-0370-2108	do	6.1,6.4	do	do	Do.
407-0370-2109	do	6.1,6.4	do	do	Do.
Vulcan Materials Co., Southeast Division, Permit No.: 407-0410-2502.	Parkwood	6.1,6.4	May 15, 1974	do	July 15, 1974.
Vulcan Materials Co., Southeast Division, Permit No.:					
407-0420-2103	Wylan	6.1,6.4	Feb. 20, 1974	do	Sept. 1, 1974.
407-0420-2501	do	6.1,6.4	do	do	Do.
Alabama Power Co., Permit No.:					
503-1002-0001	Chickasaw	6.3.1,7.1	Oct. 26, 1973	Immediately	May 31, 1975.
530-1002-0003	do	6.3.1,7.1	do	do	Do.
503-1002-0005	do	6.3.1,7.1	do	do	Do.
Amerada Hess Corp., Permit No.:					
503-3013-8407	Mobile	8.1.1	Dec. 15, 1972	do	Dec. 1, 1974.
503-3013-8408	do	8.1.1	do	do	Do.
503-3013-8409	do	8.1.1	do	do	Do.
503-3013-8410	do	8.1.1	do	do	Do.
Citmoco Services, Inc., Permit No.:					
503-3011-8401	do	8.1.1	Feb. 25, 1974	do	Sept. 25, 1974.

ALABAMA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
503-3011-8402	do	8.1.1	do	do	Do.
503-3011-8403	do	8.1.1	do	do	Do.
Ergon, Inc., Permit No.: 503-3034-8701.	Buicks	8.1.1	June 18, 1973	do	Oct. 1, 1974.
GAF Corp., Permit No.:					
503-8004-0014	Mobile	8.6.1	June 25, 1974	do	Sept. 30, 1974.
503-8004-0015	do	8.6.1	do	do	Do.
Gold Bond Building Product, Permit No.:					
503-2002-0001	do	8.4.1	Feb. 2, 1973	do	May 31, 1975.
503-2002-0002	do	6.4.1	do	do	Do.
503-2002-0004	do	6.4.1	do	do	Do.
503-2002-0005	do	6.4.1	do	do	Do.
Alabama Refining Co. (Marion Corp. Refining Division), Permit No.:					
503-4001-8408	Theodore	8.1.1	Jan. 23, 1974	do	Aug. 1, 1974.
503-4001-8409	do	8.1.1	do	do	Do.
504-4001-8410	do	8.1.1	do	do	Do.
503-4001-8411	do	8.1.1	do	do	Do.
503-4001-8412	do	8.1.1	do	do	Do.
530-4001-8413	do	8.1.1	do	do	Do.
503-4001-8414	do	8.1.1	do	do	Do.
503-4001-8415	do	8.1.1	do	do	Do.
Mobile Pulley & Machine Works, Permit No.:					
503-0004-0001	Mobile	6.4.1	May 31, 1974	do	Dec. 15, 1974.
503-0004-0002	do	6.4.19	do	do	Do.
503-0004-0003	do	6.4.1	do	do	Do.
503-0004-0005	do	6.4.1	do	do	Do.
Oyster Shell Products, Permit No.: 503-8009-0001.	do	6.4.1	Dec. 15, 1972	do	Aug. 31, 1974.
Gold Bond Building Products, Permit No.: 503-2002-0006.	do	6.4.1	June 25, 1974	do	Dec. 30, 1974.
International Paper Co., Permit No.:					
503-2005-0012	do	6.7	Feb. 2, 1973	do	May 31, 1975.
503-2005-0013	do	6.3	do	do	Do.
503-2005-0014	do	6.3	do	do	Do.
503-2005-0015	do	6.3	do	do	Do.
503-2005-0016	do	6.3	do	do	Do.
503-2005-0017	do	6.3	do	do	Do.
Scott Paper Co., Permit No.:					
503-2012-0002	do	6.6	do	do	Mar. 1, 1975.
503-2012-0003	do	6.6	do	do	Do.
503-2012-0004	do	6.6	do	do	Apr. 15, 1975.
503-2012-0005	do	6.6	do	do	Aug. 1, 1974.
503-2012-0006	do	6.6	do	do	Jan. 1, 1975.
503-2012-0007	do	6.6	do	do	Do.
503-2012-0008	do	6.6	do	do	Do.
503-2012-0010	do	6.6	Apr. 12, 1974	do	May 31, 1975.
503-2012-0011	do	6.6	do	do	Do.
503-2012-0012	do	6.6	Feb. 2, 1973	do	Do.
503-2012-0023	do	6.3	do	do	Do.
Scott Paper Co., Permit No.:					
503-2012-0024	do	6.3	do	do	Do.
503-2012-0025	do	6.3	do	do	Do.
503-2012-0026	do	6.7	do	do	Do.

[40 FR 10988, Mar. 10, 1975, as amended at 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.56 Review of new sources and modifications.

Part D conditional approval. The plan's provisions for review of new sources and modifications in nonattainment areas are approved on condition that the State submit any necessary corrections by March 9, 1984 and, during the interim, implement these regulations in a manner consistent with EPA requirements.

[48 FR 9860, Mar. 9, 1983]

§ 52.57 Control strategy: Sulfur oxides.

(a) The requirements of Subpart G of this chapter are not met since the Alabama plan does not provide for attainment and maintenance of the national standards for sulfur oxides in the vicinity of the Widows Creek Power Plant in Jackson County, Alabama. Therefore, Part 5.1, Fuel Combustion, of Chapter 5, Control of Sulfur Compound Emissions, of the rules and regulations of the State of Alabama, as adopted by the Alabama Air Pollution Control Commission on May 29, 1973, and amended on March 25, 1975, which is part of the revised sulfur oxide control strategy, is disapproved as it applies to the Widows Creek Plant. Part 5.1 of the Alabama rules and regulations as adopted on January 18, 1972, remains the implementation plan regulation applicable to that source.

[41 FR 42674, Sept. 28, 1976, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.58 Control strategy: Lead.

The lead plan submitted by the State on March 24, 1982, is disapproved because it fails to provide for the attainment of the lead standard throughout Alabama. The lead plan submitted by the State on October 7, 1985, and November 13, 1986, for Jefferson County is conditionally approved on the condition that the State by October 1, 1987, determine what additional control measures may be necessary, if any, to assure attainment and maintenance as expeditiously as practicable but no later than the applicable attainment deadline and submit those measures to EPA for approval, together with an appropriate demonstration of attainment. The provisions in the regulation submitted on October 7, 1985, that give the Jefferson County Health Officer discretion to vary the requirements of the regulation are approved as limits on that discretion, but any variances that may result from those provisions are not approved in advance and hence change the applicable implementation plan only when approved by EPA on a case-by-case basis.

[49 FR 18738, May 2, 1984, as amended at 52 FR 4291, Feb. 11, 1987]

§ 52.59 Maintenance of national standards.

(a) The areas listed below which were identified by the State of Alabama are hereby identified by the Administrator pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Birmingham Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Jefferson County.
Walker County.

(2) Gadsden Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Etowah County.

(3) Mobile Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Mobile County.

[40 FR 18733, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.60 Significant deterioration of air quality.

(a) All applications and other information required pursuant to § 52.21 from sources located in the State of Alabama shall be submitted to the Division of Air Pollution Control, Alabama Air Pollution Control Commission, 645 South McDonough Street, Montgomery, Alabama 36103, rather than to EPA's Region IV Office.

(b) On March 24, 1987, the Alabama Department of Environmental Management submitted a letter committing the State of Alabama to require that modeling for PSD permits be done only in accordance with the "Guideline on Air Quality Models (Revised)" or other models approved by EPA.

[42 FR 22869, May 5, 1977, as amended at 46 FR 55518, Nov. 10, 1981; 52 FR 48812, Dec. 28, 1987]

§ 52.61 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into the applicable plan for the State of Alabama.

[52 FR 45138, Nov. 24, 1987]

Subpart C—Alaska

§ 52.70 Identification of plan.

(a) Title of plan: "State of Alaska Air Quality Control Plan."

(b) The plan was officially submitted on April 25, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Modifications to the implementation plan including a revision to Title 18, Chapter 50, section 160 and other nonregulatory provisions submitted on June 22, 1972, by the Governor.

(2) Compliance schedules submitted on August 2, 1973, by the State of Alaska Department of Environmental Conservation.

(3) Compliance schedules submitted on August 23, 1973, by the State of Alaska Department of Environmental Conservation.

(4) Compliance schedules submitted on September 30, 1975, by the State of Alaska Department of Environmental Conservation.

(5) Compliance schedules submitted on January 6, 1976, by the State of Alaska Department of Environmental Conservation.

(6) Compliance schedules submitted on September 30, 1975, by the State of Alaska Department of Environmental Conservation.

(7) Part D attainment plans for the Anchorage and Fairbanks carbon monoxide nonattainment areas submitted by the Governor of Alaska on January 18, 1980 as follows:

VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section III. *Areawide Pollutant Control Efforts,* Subsection A.

Carbon Monoxide, except subparts 1.c (Other areas) and 5.h (Fairbanks Emergency Avoidance Plan)

VOLUME III. APPENDICES

III-1 A Review of Carbon Monoxide Emissions from Motor Vehicles during Cold Temperature Operation

III-2 Cold Weather Related Strategy Support Development

III-3 Preliminary Assessment of Meteorological Conditions during Days of Ambient Air Quality Violations in Anchorage

III-4 Summary of the 1978 Fairbanks Voluntary Vehicle Emissions Inspection Program

III-5 Approach of Evaluating an Alaska I/M Program

III-6 Appendices to the Anchorage Air Quality Plan

III-7 Appendices to the Fairbanks Air Quality Plan

(8) On January 18, 1980, the State of Alaska Department of Environmental Conservation submitted a plan revision to meet the requirements of Air Quality Monitoring, 40 CFR Part 58, Subpart C, § 58.20, as follows:

VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section V. *Ambient Air Monitoring*
- A. Purpose
- C. Air Monitoring Network
- E. Annual Review

(9) Provisions of a State Air Quality Control Plan submitted by the Governor of Alaska on January 18, 1980, as follows:

VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section I. *Introduction*
- A. Summary
- B. Air Quality Control Regions

C. Attainment/Nonattainment Designations

Section II. *Alaskan Air Quality Control Programs*

A. State Program

B. Local Programs

C. Resource Needs

Section III. *Areawide Pollutant Control Efforts*

A. Carbon Monoxide, Subpart 1.c (Other areas)

B. Total Suspended Particulate Matter

C. Ice Fog

D. Open Burning—Forest Practices

Section IV. *Point Source Control Efforts*

A. Summary

B. Description of Source Categories and Pollutants

C. Summary of Major Emitting Sources

D. History of Alaskan Point Source Program

F. Local Program Enforcement

G. New Source Review and Approval

H. Compliance Assurance

I. State Air Quality Control Regulations

Section V. *Ambient Air Monitoring*

B. Description of Previous Air Monitoring Network

VOLUME III. APPENDICES

I-1 Summary of Public Hearings, Written Testimony, etc.

I-2 Recommendations for attainment/Nonattainment designations

II-1 Alaska Statutes, except section 46.03.170

II-2 Regulations of the Fairbanks North Star Borough, except section 8.04.070

II-3 Fairbanks North Star Borough/Alaska Department of Environmental Conservation Agreement

II-4 Municipality of Anchorage/Alaska Department of Environmental Conservation Agreement

II-5 Alaska State Department of Law Legal Opinion

IV-1 Summaries of Emission Inventories

IV-2 D. Permit to Operate for the Fairbanks Municipal Utilities System

IV-3 Testing Procedures

V-1 Air Quality Data

An amended Appendix II-5, "Alaska State Department of Law Legal Opinion" submitted by the State of Alaska Department of Environmental Conservation on February 29, 1980. Amendments to the January 18, 1980 submittal, submitted by the State of Alaska Department of Environmental Conservation on September 29, 1982 as follows:

VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section I. *Introduction*

C. Attainment/Nonattainment Designations

Section III. *Areawide Pollutant Control Efforts*

D. Open Burning—Forest Practices

Section IV. *Point Source Control Efforts*

C. Summary of Major Emitting Sources

D. History of Alaskan Point Source Program

F. Local Program Enforcement

G. New Source Review and Approval

H. Compliance Assurance

I. State Air Quality Control Regulations

Section V. *Ambient Air Monitoring*

C. Air Monitoring Network

E. Annual Review

VOLUME III. APPENDICES

IV-4 ADEC Ambient Analysis Procedures

(10) On November 15, 1983 the State of Alaska Department of Environmental Conservation submitted a revision to add a lead strategy to the Alaska Implementation Plan.

(11) Provisions of a State Air Quality Control Plan submitted by the Alaska Department of Environmental Conservation on November 15, 1983, as follows:

VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section I. *BACKGROUND*

A. INTRODUCTION

B. AIR QUALITY CONTROL REGIONS

C. ATTAINMENT/NONATTAINMENT DESIGNATIONS

D. PREVENTION OF SIGNIFICANT DETERIORATION DESIGNATIONS

Section II. *STATE AIR QUALITY CONTROL PROGRAM*

Section III. *AREAWIDE POLLUTANT CONTROL PROGRAM*

D. TOTAL SUSPENDED PARTICULATE MATTER

E. ICE FOG

F. OPEN BURNING

G. WOOD SMOKE POLLUTION CONTROL

Section IV. *POINT SOURCE CONTROL PROGRAM*

A. SUMMARY
  1. Annual Review Report

B. STATE AIR QUALITY REGULATIONS

C. LOCAL PROGRAMS

D. DESCRIPTION OF SOURCE CATEGORIES AND POLLUTANTS
  1. Typical Point Sources
  2. Summary of Major Emitting Facilities

E. POINT SOURCE CONTROL

1. Introduction

F. FACILITY REVIEW PROCEDURES
  1. Who needs a permit?
  2. Standard Application Procedures
  3. PSD Application Procedures, Preliminary report and meeting, Pre-construction monitoring, PSD application format
  4. Nonattainment Application Procedures

G. APPLICATION REVIEW AND PERMIT DEVELOPMENT
  1. Application Review
  2. Permit Development Requirement, Monitoring and Testing Requirements, Ambient Monitoring, Continuous Emissions Monitoring, Source Testing
  3. Prevention of Significant Deterioration Review, Basis of Program, PSD Regulations, PSD Analysis Procedure
  4. Nonattainment Area Review
  5. New Source Performance Standards Source Review
  6. Visibility Review
  7. Sources under EPA Review

H. PERMIT ISSUANCE REQUIREMENTS

Section V. *AMBIENT AIR MONITORING*

A. PURPOSE

B. COMPLETED AIR MONITORING PROJECTS
  1. Carbon Monoxide
  2. Nitrogen Oxides
  3. Sulfur Dioxide
  4. Ozone
  5. Total Suspended Particulates (TSP)
  6. Lead

C. AIR MONITORING NETWORK
  1. Network Description
  2. Station Designations
  3. Air Quality Monitoring Procedures
  4. Ambient Sampling for Specific Pollutants

E. ANNUAL REVIEW

VOLUME III. APPENDICES

Section II. *STATE AIR QUALITY CONTROL PROGRAM*

II.A. State Air Statutes, except section 46.03.170, State Attorney General Opinions on Legal Authority

II.B. Municipality of Anchorage/Cook Inlet/ADEC Agreements

II.C. Fairbanks North Star Borough Ordinances/FNSB & ADEC Agreements

Section III. *AREAWIDE POLLUTANT CONTROL PROGRAM*

III.G. Ordinance of the City and Borough of Juneau

Section IV. *POINT SOURCE CONTROL PROGRAM*

IV.1. PSD Area Classification and Reclassifications
  A. Class I Area Boundaries
  B. Areas Protected form Visibility Degradation
  C. Reclassification
  1. Limitations on PSD Reclassification
  2. PSD Reclassification Procedures

IV.2. Compliance Assurance

IV.3. Testing Procedures

Section V. *AMBIENT AIR MONITORING*

ADEC Ambient Analysis Procedures

TITLE 18. ENVIRONMENTAL CONSERVATION, *CHAPTER 50. AIR QUALITY CONTROL*, Sections 021(d), 030(g), 040(a)(2), 040(c), 050(a)(2), 050(b)(4), 085, 300(a)(1), 300(a)(7), 400(d)(6), 500(d), 500(e), 510 (Editor's Note), 520(a), 520(b), 610(a), 620, 900(15), 900(39), 900(47), and 900(48).

(12) On September 29, 1982, the Commissioner of the Alaska Department of Environmental Conservation submitted a carbon monoxide attainment plan for the cities of Anchorage (section III.B) and Fairbanks (section III.C) as a revision to the Alaska State Implementation Plan. On November 15, 1983, a revision to this plan was submitted for the city of Anchorage. Supplement to the Anchorage and Fairbanks plans revisions to section III.A (Areawide Pollutant Control Program, Statewide Transportation Control Program) and a new State Regulation 18 AAC Chapter 52 (Emissions Inspection and Maintenance Requirements for Motor Vehicles) were submitted on May 31, 1985.

(i) *Incorporation by reference.*

(A) May 31, 1985 letter from the State of Alaska to EPA, and State Regulation 18 AAC 52 (Emissions Inspection and Maintenance Requirements for Motor Vehicles) as filed by the Commissioner for the State of Alaska on May 19, 1985.

(B) Page section III.B.8-3 of the Anchorage Transportation Control Program, Alaska Air Quality Control Plan, revised June 1, 1985 (emissions and air quality projections for Anchorage with vehicle inspection and maintenance program).

(C) Table C.6.a of the Fairbanks Transportation Control Program, Alaska Air Quality Control Plan [reasonable further progress required reductions for Fairbanks] (page section III.C.6-2) revised November 20, 1982.

(ii) *Other material.*

(A) Section III.A Statewide Transportation Control Program.

(B) Section III.B Anchorage Transportation Control Program.

(C) Section III.C Fairbanks Transportation Control Program.

(D) The I/M Program Design for the Fairbanks North Star Borough dated October 25, 1984.

(E) The I/M Program Design for the Municipality of Anchorage dated 1984.

[37 FR 10848, May 31, 1972, as amended at 41 FR 8957, Mar. 2, 1976; 41 FR 49636, Nov. 10, 1976; 42 FR 8375, Feb. 10, 1977; 48 FR 30625, July 15, 1983; 49 FR 68, Jan. 3, 1984; 49 FR 17500, Apr. 24, 1984; 51 FR 32639, Sept. 15, 1986]

§ 52.71 Classification of regions.

The Alaska plan was evaluated on the basis of the following classifications:

Air quality control Region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Cook Inlet Intrastate	I	III	III	I	III
Northern Alaska Intrastate	I	III	III	I	III
South Central Alaska Intrastate	III	III	III	III	III
Southeastern Alaska Intrastate	III	III	III	III	III

[37 FR 10848, May 31, 1972, as amended at 48 FR 30625, July 5, 1983]

§ 52.72 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Alaska's plan for the attainment and maintenance of the national standards. The State included in the plan a regulation prohibiting idling of unattended motor vehicles. However, the plan stated that this regulation was included for informational purposes only, and was not to be considered part of the control strategy to implement the national standards for carbon monoxide. Accordingly, this regulation is not considered a part of the applicable plan.

[37 FR 15080, July 27, 1972]

§ 52.73 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting peri-

ods are January 1 through June 30 and July 1 through December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34535, Sept. 26, 1974, as amended at 40 FR 55327, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.74 Legal authority.

(a) The requirements of § 51.230 of this chapter are not met since in:

(1) Cook Inlet Air Resources Management District:

(i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(iii) Authority to make emission data available to the public is inadequate (§ 51.230(f) of this chapter).

(iv) Authority to obtain injunctions is inadequate (§ 51.230(b) of this chapter).

(2) Fairbanks North Star Borough:

(i) Authority to obtain injunctions is inadequate (§ 51.230(b) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(iv) Authority to make emissions data available to the public is inadequate since 45.05.130 of the Fairbanks North Star Borough ordinance could require it to be confidential (§ 51.230(f) of this chapter).

(v) Authority to abate emergency air pollution episodes is inadequate because 45.05.100 of the Fairbanks North Star Borough ordinance is limited to generalized conditions of air pollution and because the order of the Commission is subject to review de novo (§ 51.230(c) of this chapter).

(vi) Authority for necessary transportation control is not set forth nor is a timetable for obtaining it included (Subpart L of this chapter).

(b) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

(c) The requirements of § 51.230(f) of this chapter are not met since section 46.03.180 of the Alaska Statutes could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 46.03.180 is disapproved.

[37 FR 15080, July 27, 1972, as amended at 39 FR 7279, Feb. 25, 1974; 39 FR 34535, Sept. 26, 1974; 51 FR 40676, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

§ 52.75 Contents of the approved State-submitted implementation plan.

The following sections of the State air quality control plan (as amended on the dates indicated) have been approved and are part of the current State Implementation Plan:

VOLUME II: ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section I—*Background*
- A. Introduction (7/1/82)
- B. Air Quality Control Regions (7/1/82)
- C. Attainment/Nonattainment Designations (7/1/83)
- D. Prevention of Significant Deterioration Designations (7/1/83)

Section II—*State Air Quality Control Program (11/1/83)*

Section III—*Areawide Pollutant Control Program*
- A. Statewide Transportation Control Program (6/1/85)
- B. Anchorage Transportation Control Program (6/1/85)
- C. Fairbanks Transportation Control Program (6/1/85)
- D. Total Suspended Particulate Matter (7/1/82)
- E. Ice Fog (7/1/82)

F. Open Burning (10/30/83)
G. Wood Smoke Pollution Control (7/1/83)
H. Lead Pollution Control (7/1/83)
Section IV—*Point Source Control Program*
A. Summary (10/30/83)
  1. Annual Review Report (10/30/83)
B. State Air Quality Regulations (10/30/83)
C. Local Programs (10/30/83)
D. Description of Source Categories and Pollutants
  1. Typical Point Sources (10/30/83)
  2. Summary of Major Emitting Facilities (10/30/83)
E. Point Source Control
  1. Introduction (10/30/83)
F. Facility Review Procedures
  1. Who needs a permit? (10/30/83)
  2. Standard Application Procedures (10/30/83)
  3. PSD Application Procedures (10/30/83)
    Preliminary report and meeting (10/30/83)
    Pre-construction monitoring (10/30/83)
    PSD application format (10/30/83)
  4. Nonattainment Application Procedures (10/30/83)
G. Application Review and Permit Development (10/30/83)
  1. Application Review (10/30/83)
  2. Permit Development Requirements (10/30/83)
    Monitoring and Testing Requirements (10/30/83)
    Ambient Monitoring (10/30/83)
    Continuous Emissions Monitoring (10/30/83)
    Source Testing (10/30/83)
  3. Prevention of Significant Deterioration Review (10/30/83)
    Basis of Program (10/30/83)
    PSD Regulations (10/30/83)
    PSD Analysis Procedure (10/30/83)
  4. Nonattainment Area Review (10/30/83)
  5. New Source Performance Standards Source Review (10/30/83)
  6. Visibility Review (10/30/83)
  7. Sources under EPA Review (10/30/83)
H. Permit Issuance Requirements (10/30/83)
Section V—*Ambient Air Monitoring*
A. Purpose (7/1/82)
B. Completed Air Monitoring Projects (7/1/82)
  1. Carbon Monoxide (7/1/82)
  2. Nitrogen Oxides (7/1/82)
  3. Sulfur Dioxide (7/1/82)
  4. Ozone (7/1/82)
  5. Total Suspended Particulates (TSP) (7/1/82)
  6. Lead (7/1/82)
C. Air Monitoring Network (7/1/82)
  1. Network Description (7/1/82)
  2. Station Designations (7/1/82)
  3. Air Quality Monitoring Procedures (7/1/82)
  4. Ambient Sampling for Specific Pollutants (7/1/82)
E. Annual Review (7/1/82)

VOLUME III: APPENDICES

Section II. State Air Quality Control Program
  II.A. State Air Statutes, except section 46.03.170 (11/15/83)
    State Attorney General Opinions on Legal Authority—(2/29/72, 2/29/80)
  II.B. Municipality of Anchorage/Cook Inlet/ADEC Agreements (11/15/83)
  II.C. Fairbanks North Star Borough Ordinances, except section 8.04.070/FNSB & ADEC Agreements (11/15/83)
Section III. *Areawide Pollutant Control Program*
  III.B.3-a Anchorage Graphs of Highest and Second Highest CO Readings for Each Site (11/15/83)
  III.B.5-a Anchorage Traffic Improvements (11/15/83)
  III.B.5-b Anchorage Contingency Plan (11/15/83)
  III.B.5-c Anchorage Transit Ridership (11/15/83)
  III.B.8-a Anchorage Graphs of Projected CO Concentrations for Each Site (11/15/83)
  III.G. Ordinance of the City and Borough of Juneau (10/6/83)
  III.H. Support Documents for Lead Plan (11/15/83)
Section IV. Point Source Control Program
  IV.1. PSD Area Classification and Reclassifications (11/15/83)
    A. Class I Area Boundaries (11/15/83)
    B. Areas Protected form Visibility Degradation (11/15/83)
    C. Reclassification (11/15/83)
      1. Limitations on PSD Reclassification (11/15/83)
      2. PSD Reclassification Procedures (11/15/83)
  IV.2. Compliance Assurance (11/15/83)
  IV.3. Testing Procedures (11/15/83)
Section V. Ambient Air Monitoring ADEC Ambient Analysis Procedures (11/15/83)
Section V: Air Episode Plan (4/21/72)
Title 18. Environmental Conservation *Chapter 50. Air Quality Control* (10/30/83)
Title 18. Environmental Conservation, *Chapter 52. Emissions Inspection and Maintenance Requirements for Motor Vehicles* (5/31/85)

[51 FR 32639, Sept. 15, 1986]

§§ 52.76—52.77 [Reserved]

§ 52.78 Review of new sources and modifications

(a) The requirements of Subpart I of this chapter are not met since the State of Alaska failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Alaska.

[39 FR 7279, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.79 [Reserved]

§ 52.80 Intergovernmental cooperation.

(a) The requirements of Subpart M of this chapter are not met since the plan does not clearly delineate the responsibilities of the State and local air pollution control agencies, nor does it adequately discuss the responsibilities of other State or local agencies implementing portions of the plan. Specifically, the emergency avoidance plan and the control strategies, which are to be further developed by the Cook Inlet and Fairbanks North Star Borough agencies do not adequately explain agency responsibilities.

[37 FR 10849, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.81 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presente in Alaska's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Cook Inlet Intrastate	July 1975	b	d	d	d	e	d
Northern Alaska Intrastate	July 1975	b	d	d	d	e	d
South Central Alaska Intrastate	d	d	d	d	d	d	d
Southeastern Alaska Intrastate	d	d	c	a	d	d	d

NOTE: The *italicized* footnote is recommended for proposal by the Administrator because the plan does not provide a specific date.

a. July 1975.
b. Eighteen-month extension granted.
c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards.
e. December 31, 1987.

[37 FR 15080, July 27, 1972, as amended at 38 FR 12702, May 14, 1973; 38 FR 32659, Nov. 27, 1973; 45 FR 85748, Dec. 30, 1980; 46 FR 10911, Feb. 5, 1981]

§ 52.82 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submittal of the plan for attainment and maintenance of the secondary standards for particulate matter in the Cook Inlet and Northern Alaska Intrastate Regions.

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Northern Alaska Intrastate Region.

(c) The Administrator hereby extends the attainment date for carbon monoxide in the Anchorage and Fairbanks nonattainment areas to December 31, 1987.

[37 FR 15081, July 27, 1972, as amended at 38 FR 32659, Nov. 27, 1973; 46 FR 10911, Feb. 5, 1981]

§ 52.83 [Reserved]

§ 52.84 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are contained in the Alaska Administrative Code, Title 18, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
aska Lumber & Pulp Co	Sitka	18AAC50.050(a)(b), 50.060(a)(2), 50.120(h).	June 6, 1975	Immediately	Oct. 30, 1977.
Golden Valley Electric Association, Inc.	Fairbanks	18AAC50.030, 50.040, 50.050, 50.120.	June 18, 1973	do	July 1, 1975.
Golden Valley Electric Association, Inc.	Healy	18AAC50.050(a), (b), 50.120(h).	Sept. 29, 1975	do	Oct. 30, 1980.
etchikan Pulp Co	Ketchikan	18AAC50.050(a), (b), 50.060(a)(2), 50.120(h).	June 6, 1975		July 1, 1978.
unicipal Utilities System	do	18AAC50.030, 50.040, 50.050, 50.120.	do	do	Do.
niversity of Alaska	College	18AAC50.030, 50.040, 50.050, 50.120.	do	do	Do.

(c) The compliance schedules for the sources identified below are disapproved s not meeting the requirements of § 51.15 of this chapter. All regulations cited re contained in the Alaska Administrative Code, Title 18, unless otherwise oted.

Source	Location	Regulation involved	Date of adoption
laska Forest Products, Inc	Haines	18 AAC 50.040(a)(2), 18 AAC 50.040(c)(2), 18 AAC 50.120(h).	Aug. 21, 1975.
chnabel Lumber Co	do	18AAC 50.040(a)(2), 18 AAC 50.040(c)(2), 18 AAC 50.040(h).	Do.

(d) *Federal compliance schedules.* (1) Except as provided in paragraph (d)(9) of his section, the owner or operator of any incinerator subject to the following mission-limiting regulation shall comply with the compliance schedule in paraaph (2) of this paragraph (d): Alaska Administrative Code, Title 18, § 50.040 Appendix 1, section III of the Alaska Implementation Plan).

Source	Location	Regulation involved	Date of adoption
aska Lumber & Pulp Co	Sitka	18AAC50.060(a)(1)(2)	June 18, 1973.
tchikan Pulp Co	Ketchikan	18AAC50.060(a)(1)(2)	Do.

(2) Compliance schedule for incinertors, defined as any furnace used in he process of burning solid waste for he primary purpose of reducing the olume of the waste by removing comustible matter:

(i) Within 30 days' after promulgaon of the compliance schedule, submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) October 29, 1973—Negotiate and sign all necessary contracts for emission-control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) August 5, 1974—Complete on-site construction or installation of emission-control equipment or process modification.

(iv) September 2, 1974—Achieve compliance with applicable regulations, and certify such compliance to the Administrator.

(v) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by September 2, 1974. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vi) Within five days after the deadline for completing increments in paragraphs (b)(2) (ii) and (iii) in this section, certify to the Administrator whether the increment has been met.

(3) Except as provided in paragraph (b)(9) of this section, the owner or operator of any pulp mill subject to the following emission-limiting regulation and permit regulation in the Alaska Implementation Plan shall comply with the applicable compliance schedule in paragraph (b) (4), (5), or (6) of this section; Alaska Administrative Code, Title 18, § 50.060(a)(1) (Sulfur oxides) and (2) (Particulate matter), § 50.120(a) (permits) (Appendix III, 1 of the Alaska Implementation Plan).

(4) Any owner or operator of a recovery system or other source within a pulp mill subject to the sulfur oxide emission limitation of paragraph (b)(3) of this section who elects to utilize a process modification not requiring installation of additional control equipment shall be subject to the following compliance schedule:

(i) October 1, 1973—Notify the Administrator of the intent to utilize a process modification.

(ii) November 30, 1973—Negotiate contract for achieving desired modification.

(iii) July 1, 1974—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(iv) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1974. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(5) Any owner or operator of a recovery system or other source within a pulp mill subject to the sulfur oxide emission limitation of paragraph (d)(3) of this section who elects to utilize a control system requiring installation of additional control equipment shall be subject to the following compliance schedule:

(i) October 1, 1973—Submit to the Administrator a final control plan which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) January 20, 1974—Negotiate and sign all necessary contracts for emission-control systems, or issue orders for the purchase of component parts to accomplish emission control.

(iii) December 31, 1974—Complete on-site construction or installation of emission control equipment.

(iv) July 1, 1975—Achieve compliance with the applicable regulations.

(v) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vi) Five days after the deadline for completing increments in paragraphs (b)(5) (ii), (iii), and (iv) in this section, certify to the Administrator whether the increment has been met.

(6) Compliance schedule for recovery system particulate matter emissions:

(i) January 1, 1974—Submit to the Administrator a final control plan which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) March 1, 1974—Negotiate and sign all necessary contracts for emission-control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) April 1, 1975—Complete onsite construction or installation of emission-control equipment or process modification.

(iv) July 1, 1975—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(v) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vi) Within five days after the deadline for completing increments in paragraphs (b)(6) (ii) and (iii) of this section, certify to the Administrator whether the increment has been met.

(7) Except as provided in paragraph (b)(9) of this section, the owner or operator of any industrial process or fuel-burning equipment subject to the following emission-limiting regulation and permit regulation in the Alaska Implementation Plan shall comply with the compliance schedule in paragraph (b)(8) of this section: Alaska Administrative Code, Title 18, section 50.050 (industrial processes and fuel-burning equipment) and section 50.120 (a) and (e) (permits), (appendix, section III, 1 of the Alaska Implementation Plan).

(8) Compliance schedule for industrial process for fuel-burning equipment:

(i) Within 30 days after promulgation of the compliance schedule submit to the Administrator a final control plan, which describes at a minmum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) December 18, 1973—Negotiate and sign all necessary contracts for emission-control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) May 31, 1975—Complete onsite construction or installation of emission-control equipment or process modification.

(iv) July 1, 1975—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(v) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vi) Within five days after the deadline for completing increments in paragraphs (b)(8) (ii) and (iii) in this section, certify to the Administrator whether the increment has been met.

(9)(i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(10) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

[38 FR 16145, June 20, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.84, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§§ 52.85—52.94 [Reserved]

§ 52.95 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met because the State neither identified areas of the State which have the potential for violation of the national air quality standards within 10 years nor provided a justification that there are no such areas in the State.

(b) Pursuant to the requirements of § 51.110 (h) and (i) of this chapter, the Administrator has determined that there are no areas in the State having the potential for violation of the national ambient air quality standards within 10 years.

[40 FR 18734, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1987]

§ 52.96 Significant deterioration of air quality.

(a) The State of Alaska Department of Environmental Conservation Air Quality Control Regulations (specifically 18 AAC 50.020, 50.021, 50.300, 50.400, 50.510, 50.520, 50.530, 50.600, 50.620, and 50.900) and the State air quality control plan (specifically Section I.B. AIR QUALITY CONTROL REGIONS, Section I.C. ATTAINMENT/NONATTAINMENT DESIGNATIONS, Section I.D. PREVENTION OF SIGNIFICANT DETERIORATION DESIGNATIONS, Section IV.F. FACILITY REVIEW PROCEDURES, Section IV.G. APPLICATION REVIEW AND PERMIT DEVELOPMENT, Section IV.H. PERMIT ISSUANCE REQUIREMENTS, Appendix IV.1. PSD Area Classification and Reclassifications, and Appendix V ADEC Ambient Analysis Procedures) are approved as meeting the requirements of Part C for preventing significant deterioration of air quality.

(b) The requirements of sections 160 through 165 of the Clean Air Act are not met for Indian reservations since the plan does not include approvable procedures for preventing the significant deterioration of air quality on Indian reservations and, therefore, the provisions of § 52.21 (b) through (w) are hereby incorporated and made part of the applicable reservation in the State of Alaska.

[48 FR 30626, July 5, 1983, as amended at 49 FR 17502, Apr. 24, 1984]

Subpart D—Arizona

§ 52.120 Identification of plan.

(a) Title of plan: "The State of Arizona Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Letter of intent to revise plan submitted on March 1, 1972, by the Arizona State Board of Health.

(2) Letter of intent to revise plan submitted on March 2, 1972, by the Governor.

(3) Revised implementation plan submitted on May 30, 1972, by the Governor.

(4) Transportation control plan submitted on April 11, 1973, by the Governor.

(5) Amendments (Non-regulatory) to the transportation control plan submitted on May 10, 1973, by the Governor.

(6) Arizona Air Pollution Control Regulations (numbers in parentheses indicate recodification of regulations as identified in the Arizona State Implementation Plan Semi-Annual Report submitted to EPA on September 4, 1975).

7-1-1.1 (R9-3-101) (Policy and Legal Authority)
7-1-1.3 (R9-3-103) (Air Pollution Prohibited)
7-1-1.5 (R9-3-105) (Enforcement)
7-1-4.3 (R9-3-403) (Sulfur Emissions: Sulfite Pulp Mills)
7-1-4.4 (R9-3-404) (Sulphur Emissions: Sulfuric Acid Plants)
7-1-4.5 (R9-3-405) (Sulphur Emissions: Other Industries)
7-1-5.1 (R9-3-501) (Storage of Volatile Organic Compounds)
7-1-5.2 (R9-3-502) (Loading of Volatile Organic Compounds)
7-1-5.3 (R9-3-503) (Organic Compound Emissions: Pumps and Compressors)
7-1-5.4 (R9-3-504) (Organic Solvents)
7-1-6.1 (R9-3-601) (Carbon Monoxide Emissions: Industrial)
7-1-7.1 (R9-3-701) (Nitrogen Oxide Emissions: Fuel Burning Installations)
7-1-7.2 (R9-3-702) (Nitrogen Oxide Emissions: Nitric Acid Plants

7-1-8.3 (R9-3-803) (New Installations)

Submitted on August 20, 1973.

(7) Revised transportation control
plan submitted on September 11, 1973,
by the Governor.

(8) Letter supplementing the revised
ransportation control plan encourag-
ng mass transit, carpooling, etc., sub-
mitted on September 21, 1973, by the
Governor.

(9) Letter supplementing the revised
ransportation control plan encourag-
ng mass transit, carpooling, etc., sub-
nitted on October 2, 1973, by the Gov-
rnor.

(10) Maricopa County Air Pollution
Control District Regulation III, Rule
1 (Particulate Matter Emissions) sub-
nitted on January 28, 1974.

(11) Arizona Air Pollution Control
egulation 7-1-1.7 (R9-3-107) (Unlaw-
ul open burning) submitted on Febru-
ry 19, 1974.

(12) Pima County Air Pollution Con-
rol District Regulation II, Rule 2
Particulate matter emissions) submit-
ed on March 19, 1974.

(13) Air quality maintenance area
esignation analysis submitted on
pril 17, 1974, by the Arizona Depart-
ent of Health Services.

(14) Arizona Air Pollution Control
egulations:

1-2.10 (R9-3-210) (Emergency Episode Criteria)
1-4.2 (R9-3-402) (Sulfur Emissions: Fuel Burning Installations)

Submitted on August 30, 1974.

(15) Arizona Air Pollution Control
gulations 7-1-8.1 (R9-3-801) (Origi-
l State jurisdiction); 7-1-8.2 (R9-3-
2) (Assertions of jurisdiction); 7-1-
3 (R9-3-803) (Delegation of author-
y); 7-1-11.3 (R9-3-1203) (Suspension
d revocation of permits); 7-1-11.4
9-3-1204) (Permits non-transfera-
e); 7-1-11.5 (R9-3-1205) (Posting of
rmits); 7-1-11.6 (R9-3-1206) (Notice
permit agencies); 7-1-11.7 (R9-3-
07) (Equipment covered); 7-1-11.9
9-3-1209) (Permit Fees); and 7-1-1.4
9-3-104) (Recordkeeping and re-
rting) submitted September 27,
74.

16) Assertion of State Jurisdiction
er Apache, Navajo, Santa Cruz and
vapai Counties; Assertion of State
risdiction over Cochise County; and Assertion of State Jurisdiction over specific sources in Mohave County.

Submitted on February 3, 1975.

(17) Amendments to the Rules and Regulations of the Pima County Air Pollution Control District (Regulation I: Rules 2, 4D, 4E, 4J, 8G, 16C, 29, and 30) submitted on February 20, 1975, by the Director, Arizona Department of Health Services (the Governor's official representative).

(18) Air pollution control regulations for various counties submitted by the Governor on July 1, 1975, as follows:

(i) Coconino County Air Pollution Control Regulations.

12-1-1 (Legal Authority)
12-1-2 (Definitions)
12-1-3 (Air Pollution Prohibited)
12-2-2 (Operating Permits)
12-2-4 (Permit Fees)
12-2-5 (Permit Renewals)
12-2-7 (Testing of Installations)
12-2-8 (Compliance with Terms of Installation Permit)
12-2-9 (Notification of Denial of Permit)
12-2-10 (Appeals to the Hearing Board)
12-2-11 (Permits Not Transferable)
12-2-12 (Expiration of Installation Permit)
12-2-13 (Posting of Permits)
12-3-1 (Ambient Air Quality Standards)
12-3-2 (Emission Standards)
12-3-3 (Reporting of Emissions)
12-3-4 (Production of Records: Confidentiality)
12-3-5 (Monitoring Devices)
12-3-6 (Penalty for Violation)
12-4-1 (Shade, Density, or Opacity of Emissions)
12-4-2 (Dust Control)
12-4-3 (Processing of Animal or Vegetable Matter)
12-4-4 (Volatile and Odorous Materials)
12-4-5 (Storage and Handling of Petroleum Products)
12-5-1 (Permit Required)
12-5-2 (Performance Tests: Permit Tags)
12-5-3 (Emission Limitations)
12-5-4 (Authority of Other Public Agencies)
12-6-1 (Unlawful Open Burning)
12-6-2 (Exceptions Requiring no Permission)
12-6-3 (Exceptions Requiring Permission)
12-6-4 (Exceptions Under Special Circumstances)
12-7-1 (Misdemeanor: Penalty)
12-7-2 (Order of Abatement)
12-7-3 (Hearings on Orders of Abatement)
12-7-5 (Notice of Hearing: Publication; Service)
12-7-6 (Injunctive Relief)

(ii) Mohave County Air Pollution Control Regulations.

Sec. 1, Reg. 1 (Policy and Legal Authority)
Sec. 1, Reg. 2 (Definitions)
Sec. 1, Reg. 3 (Air Pollution Prohibited)
Sec. 1, Reg. 4 (Enforcement)
Sec. 2, Reg. 1 (Shade, Density or Opacity of Emissions)
Sec. 2, Reg. 2 (Particulate Matter)
Sec. 2, Reg. 3 (Reduction of Animal or Vegetable Matter)
Sec. 2, Reg. 4 (Evaporation and Leakage)
Sec. 2, Reg. 5 (Storage Tanks)
Sec. 3, Reg. 1 (Particulate Matter from Fuel Burning Installations)
Sec. 3, Reg. 2 (Particulate Matter from Other Sources)
Sec. 3, Reg. 3 (Sulfur from Primary Copper Smelters)
Sec. 3, Reg. 4 (Ground Level Concentrations)
Sec. 3, Reg. 5 (Exceptions)
Sec. 3, Reg. 6 (Incinerators)
Sec. 4, Reg. 1 and Reg. 2 (Responsibility and Requirements of Testing)
Sec. 5, Reg. 1 (Open Fires: Prohibition and Exceptions)
Sec. 6, Reg. 1 (Sulfur Dioxide)
Sec. 6, Reg. 2 (Non-Specific Particulate)
Sec. 6, Reg. 3 (Evaluation)
Sec. 6, Reg. 4 (Anti-Degradation)
Sec. 7 (Violations)

(iii) Yuma County Air Pollution Control Regulations.

8-1-1.1 (Policy and Legal Authority)
8-1-1.2 (Definitions)
8-1-1.3 (Air Pollution Prohibited)
8-1-1.4 (Recordkeeping and Reporting)
8-1-1.5 (Enforcement)
8-1-1.6 (Exceptions)
8-1-2.1 (Non-Specific Particulate)
8-1-2.2 (Sulfur Dioxide)
8-1-2.3 (Non-Methane Hydrocarbons)
8-1-2.4 (Photochemical Oxidants)
8-1-2.5 (Carbon Monoxide)
8-1-2.6 (Nitrogen Dioxide)
8-1-2.7 (Evaluation)
8-1-2.10 (Emergency Episode Criteria)
8-1-3.1 (Visible Emissions; General)
8-1-3.2 (Fugitive Dust)
8-1-3.3 (Particulates—Incineration)
8-1-3.4 (Particulates—Wood Waste Burners)
8-1-3.5 (Particulates—Fuel Burning Equipment)
8-1-3.6 (Particulates—Process Industries)
8-1-4.2 (Fuel Burning Installations)
8-1-4.3 (Sulfur Emissions—Sulfite Pulp Mills)
8-1-4.4 (Sulfur Emissions—Sulfuric Acid Plants)
8-1-4.5 (Sulfur Emissions—Other Industries)
8-1-5.1 (Storage of Volatile Organic Compounds)
8-1-5.2 (Loading of Volatile Organic Compounds)
8-1-5.3 (Pumps and Compressors)
8-1-5.4 (Organic Solvents; Other Volatile Compounds)
8-1-6.1 (CO Emissions—Industrial)
8-1-7.1 (NO_x Emissions—Fuel Burning Equipment)
8-1-7.2 (NO_x Emissions—Nitric Acid Plants)
8-1-8.1 (Open Burning—Prohibition)
8-1-8.2 (Open Burning—Exceptions)

(iv) Pinal-Gila Counties Air Pollution Control Regulations.

7-1-1.1 (Policy and Legal Authority)
7-1-1.2 (Definitions)
7-1-1.3 (Air Pollution Prohibited)
7-1-2.2 (Permit Unit Description and Fees)
7-1-2.4 (Appeals to Hearing Board)
7-1-2.5 (Transfer: Posting: Expirations)
7-1-2.6 (Recordkeeping and Reporting)
7-1-2.7 (Enforcement)
7-1-2.8 (Exceptions)
7-1-4.1 and 7-1-4.2 (Orders of Abatement)
7-1-5.1 (Classification and Reporting: Production of Records: Violation: and Penalty)
7-1-5.2 (Special Inspection Warrant)
7-1-5.3 (Decisions of Hearing Boards: Subpoenas)
7-1-5.4 (Judicial Review: Grounds: Procedures)
7-1-5.5 (Notice of Hearing: Publication: Service)
7-1-5.6 (Injunctive Relief)
7-2-1.1 (Non-Specific Particulate)
7-2-1.2 (Sulfur Dioxide)
7-2-1.3 (Non-Methane Hydrocarbons)
7-2-1.4 (Photochemical Oxidants)
7-2-1.5 (Carbon Monoxide)
7-2-1.6 (Nitrogen Dioxide)
7-2-1.7 (Evalution)
7-2-1.8 (Anti-Degradation)
7-3-1.1 (Visible Emissions: General)
7-3-1.2 (Particulate Emissions—Fugitive Dust)
7-3-1.3 (Open Burning)
7-3-1.4 (Particulate Emissions—Incineration)
7-3-1.5 (Particulate Emissions—Wood-Waste Burners)
7-3-1.6 (Reduction of Animal or Vegetable Matter)
7-3-1.7 (Particulate Emissions—Fuel Burning Equipment)
7-3-1.8 (Particulate Emissions—Process Industries)
7-3-2.1 (Copper Smelters)
7-3-2.2 (SO_2 Emissions—Fuel Burning Installations)
7-3-2.3 (SO_2 Emissions—Sulfite Pulp Mills)
7-3-2.4 (SO_2 Emissions—Sulfuric Acid Plants)
7-3-2.5 (Other Industries)

7-3-3.1 (Storage of Volatile Organic Compounds)
7-3-3.2 (Loading of Volatile Organic Compounds)
7-3-3.3 (Pumps and Compressors)
7-3-3.4 (Organic Solvents: Other Volatile Compounds)
7-3-4.1 (CO, Emissions—Industrial)
7-3-5.1 (NO, Emissions—Fuel Burning Equipment)
7-3-5.2 (NO, Emissions—Nitric Acid Plants)
7-3-6.1 (Policy and Legal Authority)

(19) Arizona Air Pollution Control Regulations:

R9-3-102 (Definitions)
R9-3-108 (Test Methods and Procedures)
R9-3-301 (Visible Emissions—General)
R9-3-302 (Particulate Emissions: Fugutive Dust)
R9-3-303 (Particulate Emissions: Incineration)
R9-3-304 (Particulate Emissions: Wood Waste Burners)
R9-3-305 (Particulate Emissions: Fuel Burning Equipment)
R9-3-307 (Particulate Emissions: Portland Cement Plants)
R9-3-308 (Particulate Emissions: Heater-Planers)

Submitted on September 16, 1975.

(20) Arizona Air Pollution Control Regulations R9-3-505 (Gasoline Volaility Testing); R9-3-506 (Gasoline Volatility Standards); R9-3-1001 Policy and Legal Authority); R9-3-020 (State Stations Acting as Fleet nspection Stations); and R9-3-1021 Inspections Conducted by Fleet Inpection Stations for State Stations); ubmitted on January 23, 1976.

(21) Amendments to the rules and Regulations of the Pima County Air Pollution Control District (Regulation :

Rule 2 (paragraph uu-yy, Definitions); egulation II (Fuel Burning Equipment): ule 2G (paragraphs 1–4c, Particulate Emisions), Rule 7A (paragraphs 1–6, Sulfur Dixide Emissions), Rule 7B (paragraphs 1–4, itrogen Oxide Emission); Regulation VI: ule 1A-H, (Ambient Air Quality Standrds); Regulation VII (paragraph A-D, tandards of Performance for New Stationry Sources); and Regulation VIII (paraaphs A–C, Emission Standards for Hazardus Air Pollutants)) submitted on Septemer 30, 1976 by the Director, Arizona Deartment of Health Services (the Govern's official representative).

(22)–(23) [Reserved]

(24) Arizona Air Pollution Control Regulations R9-3-1002 (Definitions); R9-3-1003 (Vehicles To Be Inspected by the Mandatory Vehicular Emissions Inspection Program), R9-3-1004 (State Inspection Requirements); R9-3-1005 (Time of Inspections); R9-3-1006 (Mandatory Vehicular Emissions Inspection); R9-3-1007 (Evidence of Meeting State Inspection Requirements); R9-3-1008 (Procedure for Issuing Certificates of Waiver); R9-3-1010 (Low Emissions Tune Up); R9-3-1011 (Inspection Report); R9-3-1012 (Inspection Procedure and Fee), R9-3-1013 (Reinspections); R9-3-1016 (Licensing of Inspectors); R9-3-1017 (Inspection of Governmental Vehicles); R9-3-1018 (Certificate of Inspection); R9-3-1019 (Fleet Station Procedures and Permits); R9-3-1022 (Procedure for Waiving Inspections Due to Technical Difficulties); R9-3-1023 (Certificate of Exemption); R9-3-1025 (Inspection of State Stations); R9-3-1026 (Inspection of Fleet Stations); R9-3-1027 (Registration of Repair Industry Analyzers); R9-3-1029 (Vehicle Emission Control Devices); and R9-3-1030 (Visible Emissions: Diesel-Powered Locomotives); submitted on February 11, 1977.

(25) [Reserved]

(26) Maricopa County Air Pollution Control District Regulation IV, rule 41, paragraph B (Continuously Monitoring and Recording Emissions) submitted on July 29, 1977.

(27) The following amendments to the plan were submitted on January 4, 1979 by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) R-9-3-101, A., Nos. 2, 3, 29, 41, 53, 55, 87, 88, 89, 91, 92, 95, 100 and 117; R9-3-301, paragraphs D, J, and N; R9-3-306, paragraphs D and J; and R9-3-307, paragraphs C and E.

(B) New or amended Rules R9-3-101 (Nos. 1, 4, 6, (a, c, and d), 8, 9, 11, 13, 17 to 26, 28, 30 to 35, 37 to 40, 43 to 45, 48, 49, 54, 57 to 59, 61 to 73, 77 to 80, 82, 83, 86, 90, 94, 96, 98, 101, 102, 104, 105, 107 to 115, 118 to 120, 122, to 129, and 131), R9-3-217, R9-3-218, R9-3-219, R9-3-308, R9-3-310 (Paragraph C), R9-3-311 (Paragraph A), R9-3-312, R9-3-313 (Paragraphs A.1, A.2.b, A.3, A.4, B to D.1, D.3, D.4.a to F.1.2.iii, F.1.b., and F.2.b. to F.4), R9-3-314 to R9-3-319, R9-3-402 to R9-3-404, R9-3-406, R9-3-407, R9-3-409, R9-3-

410, R9-3-502 (Paragraphs B, C, C.2, and D to G), R9-3-503 (Paragraph A), R9-3-504 (Paragraphs B and C), R9-3-505 (Paragraphs A, B.1.b., B.2.b, and B.3 to D), R9-3-506 (Paragraphs A.2, B, C.1.a to C.4), R9-3-507 (Paragraphs D to F), R9-3-508 (Paragraphs A and C), R9-3-510 (Paragraphs B to E), R9-3-511 (Paragraph B), R9-3-512 (Paragraph B), R9-3-513 (Paragraphs B and C), R9-3-514 (Paragraphs B and C), R9-3-516 (Paragraph B), R9-3-517 (Paragraphs B and C), R9-3-518 (Paragraphs B and C), R9-3-519 (Paragraphs A.2, A.3.a to A.3.c, A.3.e and B to C), R9-3-520 (Paragraphs B and C), R9-3-521 (Paragraphs B to D), R9-3-522 (Paragraphs A.1 to A.5, B and C), R9-3-523 (Paragraph B), R9-3-524 (Paragraphs C, D.1, D.2, D.4 to G.5), R9-3-525 (Paragraphs B to D), R9-3-526, R9-3-527, R9-3-528 (Paragraphs B to E and F.1 to F.4), R9-3-601 to R9-3-605, R9-3-1101, R9-3-1102, Appendix 10 (Sections A10.1.3.3, A10.1.4. and A10.2.2 to A10.3.4.) and Appendix 11.

(28) The following amendments to the plan were submitted on January 18, 1979 by the Governor's designee.

(i) Maricopa County Bureau of Air Pollution Control Rules and Regulations.

(A) Rule 33, Storage and Handling of Petroleum Products.

(B) New or amended Rules 21G and 41.

(29) The following amendments to the plan were submitted on January 23, 1979, by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) Arizona Testing Manual for Air Pollutant Emissions (excluding Sections 2.0 and 5.0).

(30) Redesignation of AQCR's in Arizona, submitted on January 26, 1979, by the Governor.

(31) Revisions to the Arizona Air Pollution Control Regulations submitted on March 21, 1979:

R9-3-1002 (22,34); R9-3-1003 [A(A8-11),B,C]; R9-3-1005 [A, (A3)]; R9-3-1006 [A,(A1,2),B, (B2,3,4,5),D,E, (E1(c),2(c)),F,G, (G1,2), Table II]; R9-3-1008 [B,(B1,2,6,7)]; R9-3-1010 [A,(A3),C,D,F]; R9-3-1011 [A,B,(B1,2,3)]; R9-3-1012(b); R9-3-1014; R9-3-1017 [B,(B4), C, E]; R9-3-1019 [A,B,D, D(1)(a)(i), D(1)(a)(ii)(6), D(1)(a)(iii), D(1)(c), D(1)(f)(11), H, (H1,2), I(I8,9,10,11,12,13), J, (J10), L, M, N, (N1,2)]; R9-3-1020(C,E); R9-3-1022(B); R9-3-1023(A,B); R9-3-1027(F).

(32) The following amendments to the plan were submitted on February 23, 1979 by the Governor's designee.

(i) Nonatainment Area Plan for Carbon Monoxide and Photochemical Oxidants, Maricopa County Urban Planning Area.

(33) The *Metropolitan Pima County Nonattainment Area Plan for CO* was submitted by the Governor's designee on March 20, 1979.

(34) The *Metropolitan Pima County Nonattainment Area Plan for TSP* was submitted by the Governor's designee on March 27, 1979.

(35) The following amendments to the plan were submitted on April 10, 1979, by the Governor's designee.

(i) Yuma County Air Pollution Control District.

(A) New or amended Rules 8-1-1.2 8-1-1.3 thru 8-1-1.6 and 8-1-1.8 thru 8-1-1.13; 8-1-2.1 thru 8-1-2.6 and 8-1-2.8; 8-1-3.1 thru 8-1-3.6, 8-1-3.7 (except paragraph "F") and 8-1-3.8 thru 8-1-3.20; and Appendices I and II.

(36) The following amendments to the plan were submitted on July 3, 1979 by the Governor's designee.

(i) Revision to the Nonattainment Area Plan for Carbon Monoxide and Photochemical Oxidants, Maricopa County Urban Planning Area.

(37) The following amendments to the plan were submitted on September 20, 1979 by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) New or amended rule R9-3-515 (Paragraphs C.1.a. to C.1.h.; C.2; C.3, C.3.b., C.3.c., and C.3.h.; C.4.c. to C.4.g. and C.4.i.; C.5 and C.5.b. to C.5.d.; C.6.b.i. to C.6.b.iii., C.6.b.vi., C.6.b.vii., and C.6.c.; and C.8.).

(ii) "ASARCO Incorporated, Hayden Copper Smelter, State Implementation Plan Determination of Good Engineering Practice Stack Height," September 17, 1979, issued by ADHS.

(38) The following amendment to the plan were submitted on October 9, 1979, by the Governor's designee.

(i) Pima County Health Department.

(A) New or amended Regulation 10:

Rules 101-103; Regulation 11: Rules 111-113; Regulation 12: Rules 121-123; Regulation 13: Rules 131-137; Regulation 14: Rules 141 and 143-147; Regulation 15: Rule 151; Regulation 16: Rules 161-165; Regulation 17: Rules 172-174; Regulation 18: Rules 181 and 182; Regulation 20: Rules 201-205; Regulation 21: Rules 221-225; Regulation 22: Rules 221-226; Regulation 23: Rules 231-

232; Regulation 24: Rules 241 and 243-248; Regulation 25: Rules 251 and 252; Regulation 30: Rules 301 and 302; Regulation 31: Rules 312-316 and 318; Regulation 32: Rule 321; Regulation 33: Rules 331 and 332; Regulation 34: Rules 341-344; Regulation 40: Rules 402 and 403; Regulation 41: Rules 411-413; Regulation 50: Rules 501-503 and 505-507; Regulation 51: Rules 511 and 512; Regulation 60: Rule 601; Regulation 61: Rule 611 (Paragraph A.1 to A.3) and Rule 612; Regulation 62: Rules 621-624; Regulation 63: Rule 631; Regulation 64: Rule 641; Regulation 70: Rules 701-705 and 706 (Paragraphs A to C, D.3, D.4, and E); Regulation 71: Rules 711-714; Regulation 72: Rules 721 and 722; Regulation 80: Rules 801-804; Regulation 81: Rule 811; Regulation 82: Rules 821-823; Regulation 90: Rules 901-904; Regulation 91: Rules 911 (except Methods 13-A, 13-B, 14, and 15; and Rules 912, and 913; Regulation 92: Rules 921-924; and Regulation 93: Rules 931 and 932.

(B) New or amended Regulation 17: Rule 171, paragraphs B.1, B.1.a, B.7, B.8, C.1.a, C.1.b, C.2.a, C.2.c, C.2.d, C.3.a, and E.1.b; Regulation 42: Rules 421, 422, 423, 424, 425, and 426; and Regulation 50: Rule 504.

(39) The following amendments to the plan were submitted on November 8, 1979 by the Governor's designee.

(i) Nonattainment Area Plan for Total Suspended Particulates, Maricopa County Urban Planning Area.

(40) [Reserved]

(41) The following amendments to the plan were submitted on February 15, 1980, by the Governor's designee.

(i) 1.0 Air Quality Surveillance Network.

(42) The *Technical Basis of New Source Review Regulations, Pima County, Arizona, February 6, 1980* (AQ-125-a) was submitted by the Governor's designee on February 28, 1980.

(43) The following amendments to he plan were submitted on April 1, 980 by the Governor's designee.

(i) Arizona State Rules and Regula- ions for Air Pollution Control.

(A) R9-3-101, A., Nos. 7, 27, 46, 52, 54, 72, 3, 74, 81, 84, 85, 86, 88, 89, 92, 96, 97, 98, 11, 117, 118, and 122; R9-3-301, paragraphs -1, B-2, C, E, F, H, I, J, K, M, N, O, P, and ; R9-3-302, (except paragraphs D, E, and ; R9-3-303; R9-3-306, paragraphs B-2, C-1, -3, and C-5 to C-7, E, F, G-1, G-3, G-4, H, d I; and R9-3-307, paragraphs A, B, D, d F.

(B) New or amended Rules R9-3-101 (Nos. 15, 16, 42, 49, 51, 55, 94, 101, 103, 106, 126, 7, and 133), R9-3-201 (paragraph D.2), 9-3-202 (Paragraph D.2), R9-3-203 (Paragraph D.2), R9-3-204 (Paragraph C.2), R9-3-205 (Paragraph C.2), R9-3-206 (Paragraph C.2), R9-3-207 (Paragraph C.2), R9-3-313 (Paragraph F.1.a.i and ii), R9-3-401, R9-3-405, R9-3-408, R9-3-501 (Paragraph A to C), R9-3-502 (Paragraph A to A.4), R9-3-503 (Paragraphs B, C.1, C.2.a. to C.2.f., C.4 and C.5), R9-3-504 (Paragraph A.1 to A.4), R9-3-508 (Paragraph B.1 to B.6), R9-3-510 (Paragraph A.1 and A.2), R9-3-511 (Paragraph A.1 to A.5), R9-3-512 (Paragraph A.1 to A.5), R9-3-513 (Paragraph A.1 to A.5), R9-3-514 (Paragraph A.2), R9-3-516 (Paragraph A.1 to A.6), R9-3-517 (Paragraph A.1 to A.5), R9-3-518 (Paragraph A.1 to A.5), R9-3-520 (Paragraph A.1 to A.6), R9-3-521 (Paragraph A.1 to A.5), and Appendices 1 and 2.

(ii) Arizona Lead SIP Revision.

(44) The following amendments to the plan were submitted on June 23, 1980 by the Governor's designee.

(i) Maricopa County Bureau of Air Pollution Control Rules and Regulations.

(A) Rule 34, Organic Solvents.

(B) New or amended Rules 2 (except #49 and 57), 3, 24, 25, 25, 26, 27, 30, 31(A), (B), and (H), 32, (G), (H), (J), and (K), 40, 70-72, and 74 and deletion of "ee".

(45) The following amendments to the plan were submitted on July 17, 1980 by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) R-9-3-101, A., Nos. 73, 74, 75, 83, 86, 87, 88, 90, 91, 94, 98, 99, 100, 113, 119, 120, and 124; R9-3-301, paragraphs A, B-3, G, I, J, K, L, M, N, O, P, Q, and R; R9-3-306, paragraphs A, B-1, B-3, B-4, C-2, C-4, and G-2; and R9-3-320, paragraphs B and C.

(B) New or amended Rules R9-3-101 (Nos. 6(b), 10, 12, 14, 36, 50, 55, 77, 84, and 92), R9-3-311 (Paragraph B), R9-3-313 (Paragraphs A.2.a., D.2, D.4, F.1.C, and F.2.a.), R9-3-320 (Paragraph A), R9-3-502 (Paragraph C.1), R9-3-503 (Paragraph C, C.2, C.2.g. and C.3), R9-3-504 (Paragraph A), R9-3-505 (Paragraph B.1.a, B.2.a), R9-3-506 (Paragraph A to A.1), R9-3-507 (Paragraphs A to C), R9-3-508 (Paragraph B), R9-3-509, R9-3-510 (Paragraph A), R9-3-511 (Paragraph A), R9-3-512 (Paragraph A), R9-3-513 (Paragraph A), R9-3-514 (Paragraphs A to A.1), R9-3-516 (Paragraph A), R9-3-517 (Paragraph A), R9-3-518 (Paragraph A), R9-3-519 (Paragraph A to A.1, A.3, and A.3.d), R9-3-520 (Paragraph A), R9-3-521 (Paragraph A), R9-3-522 (Paragraph A), R9-3-523 (Paragraph A), R9-3-524 (Paragraphs A, B, D, and D.3), R9-3-525 (Paragraph A), R9-3-528 (Paragraphs A and F.5), Section 3, Method 11; Section 3.16, Method 16; Section 3.19, Method 19; Section 3.20, Method 20; and Appendix 10 (Sections A10.2 and A10.2.1).

(C) New or amended Rule R9-3-515 (Paragraphs A; and C.6, C.6.b, and C.6.b.v.).

(46) The following amendments to the plan were submitted on August 7, 1980, by the Governor's designee.

(i) Pinal-Gila Counties Air Quality Control District.

(A) New or amended Rules 7-1-1.2, 7-1-1.3(C), 7-3-1.1, 7-3-1.4(C), 7-3-1.7(F), and 7-3-3.4.

(47) The following amendments to the plan were submitted on September 10, 1980, by the Governor's designee.

(i) Arizona State Rules and Regulations and Air Pollution Control.

(A) New or amended Rules R9-3-101 (Nos. 24, 55, 102, and 115 (25-54, 56-101, 103-114, and 116-140 are renumbered only), R9-3-201 (Paragraphs A to D.1 and E), R9-3-202 (Paragraphs A to D.1 and E), R9-3-203 (Paragraphs A to D.1 and E), R9-3-204 (Paragraphs A to C.1 and D), R9-3-205 (Paragraphs A to C.1 and D), R9-3-206 (Paragraphs A to C.1 and D), R9-3-207 (Paragraphs A to C.1 and D), and R9-3-216.

(48) Arizona Lead SIP Revision submitted by the State on September 26, 1980.

(49) The following amendments to the plan were submitted on July 13, 1981 by the Governor's designee.

(i) Arizona Revised Statute Sec. 36-1718.

(50) The following amendments to the plan were submitted on July 13, 1981, by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) New or amended Rules R9-3-310 (Paragraphs A and B), R9-3-501 (Paragraph D), R9-3-503 (Paragraph C.6), R9-3-506 (Paragraph C to C.1), and Appendix 10 (Sections A10.1-A10.1.3.2).

(B) New or amended Rule R9-3-515 (Paragraph C.4.a. and C.4.b.).

(ii) Arizona Revised Statutes.

(A) Arizona County: Chapter 6, Article 8. Air Pollution, Sections 36-770 to 36-778, 36-779 to 36-779.07, 36-780, 36-780.01, 36-781 to 36-783, 36-784 to 36-784.04, 36-785, 36-785.01, 36-786 to 36-788, 36-789 to 36-789.02, 36-790, and 36-791.

(B) Arizona State: Chapter 14, Air Pollution, Article 1. State Air Pollution Control, Sections 36-1700 to 36-1702, 36-1704 to 36-1706, 36-1707 to 36-1707.06, 36-1708, 36-1720.02, and 36-1751 to 36-1753.

(51) The following amendments to the plan were submitted on June 1, 1981, by the Governor's designee.

(i) Pima County Health Department.

(A) New or amended Regulation 14: Rule 142; Regulation 20: Rule 204; Regulation 24: Rule 242; Regulation 26: Rule 261; Regulation 50: Rule 504; Regulation 61: Rule 611 (Paragraph A); Regulation 70: Rule 706 (Paragraphs D.1 and D.2); and Regulation 91: Rule 911 (Methods 19 and 20).

(52) The following amendments to the plan were submitted on August 5, 1981, by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) New or amended Rules R9-3-1002, R9-3-1003, R9-3-1005, R9-3-1006, R9-3-1008, R9-3-1010 to R9-3-1014, R9-3-1016, R9-3-1019, R9-3-1023, R9-3-1025, R9-3-1027, and R9-3-1030.

(ii) Arizona Revised Statutes.

(A) Inspection and Maintenance—Chapter 14, Article 3. Annual Emissions Inspection of Motor Vehicles, Sections 36-1771 to 36-1775, 36-1708.01, 36-1709 to 36-1711, 36-1712 to 36-1712.04, 36-1713, 36-1713.01, 36-1714 to 36-1717, 36-1718, 36-1718.01, 36-1719, 36-1720, and 36-1776 to 36-1780.

(53) The following amendments to the plan were submitted on March 8, 1982, by the Governor's designee.

(i) Maricopa County Bureau of Air Pollution Control Rules and Regulations.

(A) Rules 2 (Nos. 11 and 33, and deletion of Nos. 18, 49, 50, 52, and 54), 28 and 33.

(ii) The *Improvement Schedules for Transit System and Rideshare Program in Metropolitan Pima County*.

(54) The following amendments to the plan were submitted on June 3, 1982 by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) New or amended Rule R9-3-515 Paragraphs C to C.1. and C.1.l.; C.3.a. and C.3.d. to C.3.g.; C.4. and C.4.h.; C.5.a; C.6.a. and C.6.b.iv.; and C.9.).

(B) New or amended rules R9-3-101 (Nos. 3, 7, 8, 17, 18, 19, 20, 21, 29, 34, 35, 37, 56, 61, 62, 63, 68, 69, 75, 77, 78, 79, 88, 89, 90, 91, 98, 99, 101, 117, 122, 129, 133, 136, 146, and 157; 53 and 123 are deleted); R9-3-217; R9-3-301;

R9-3-304; R9-3-305; R9-3-306 (paragraph A
only); R9-3-320 (Repealed and Reserved);
R9-3-1101 (paragraphs A, C, and D); Appendix 1; and Appendix 2.

(C) New or amended rules R9-3-101 (Nos.
4 to 6, 9 to 16, 22 to 28, 30 to 33, 36, 38 to 55,
57 to 60, 64 to 67, 70 to 74, 76, 80 to 87, 92 to
97, 100, 102 to 116, 118 to 121, 123 to 128,
130 to 132, 134, 135, 137 to 141, 142 to 145,
147 to 156, and 158 are renumbered only);
R9-3-219; R9-3-502 (paragraph A to A.1 and
A.2); R9-3-505 (paragraph B to B.1, B.2, B.3,
and B.4); R9-3-508 (paragraph B to B.1, B.2,
and B.5); R9-3-511 (paragraph A to A.1 and
A.2); R9-3-513 (paragraph A to A.1 and A.2);
R9-3-516 (paragraph A to A.1 and A.2); R9-3-517 (paragraph A to A.1); R9-3-518 (paragraph A to A.1 and A.2); R9-3-520 (paragraph A to A.1 and A.2); R9-3-521 (paragraph A to A.1 and A.2); R9-3-522 (paragraph A to A.1 and A.2); and Appendix 8
Sections A8.3.1 and A8.3.2).

(55) [Reserved]

(56) The following amendments to the plan were submitted on February 3, 1984, by the Governor's designee.

(i) Arizona State Rules and Regulations for Air Pollution Control.

(A) New or amended rules R9-3-101 (No.'s 98 and 158), R9-3-201 to R9-3-207, R9-3-215, R9-3-218, R9-3-310, R9-3-322, R9-3-402, R9-3-404, R9-3-502, R9-3-515 (paragraph (c)), R9-3-529, R9-3-1101, and Appendices I and II.

[37 FR 10849, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.120, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.121 Classification of regions.

The Arizona plan is evaluated on the basis of the following classifications:

AQCR (constituent counties)	Classifications				
	PM	SO$_x$	NO$_2$	CO	O$_x$
aricopa Intrastate (Maricopa)	I	III	III	I	I
ma Intrastate (Pima)	I	II	III	III	I
orthern Arizona Intrastate (Apache, Coconino, Navajo, Yavapai)	I	III	III	III	III
ohave-Yuma Intrastate (Mohave, Yuma)	I	III	III	III	III
entral Arizona Intrastate (Gila, Pinal)	I	IA	III	III	III
outheast Arizona Intrastate (Cochise, Graham, Greenlee, Santa Cruz)	I	IA	III	III	III

5 FR 67345, Oct. 10, 1980]

52.122 Extensions.

(a) The Administrator hereby ex-
ends for 2 years the attainment date
r the national primary standards for
lfur oxides in the Maricopa, Pima,
entral Arizona, and Southeast Arizo-
a Intrastate Regions.

(b) The Administrator hereby ex-
nds for 18 months the statutory
metable for submittal of the plan for
tainment and maintenance of the
condary standards for sulfur oxides
the Maricopa, Pima, Central Arizo-
, and Southeast Arizona Intrastate
egions.

(c) The Administrator hereby ex-
nds to July 31, 1977, the attainment
te for the national primary stand-
ds for sulfur oxides in the Northern
izona Intrastate Region.

(d) The Administrator hereby ex-
nds to December 31, 1982 certain at-
inment dates for the national stand-
ds for carbon monoxide (CO), ozone
(O$_3$), and total suspended particulates (TSP), in the following areas:

(1) Maricopa County Urban Planning Area for O$_3$, and TSP.

(e) The Administrator hereby extends to (January 14, 1986) the attainment date for the national primary and secondary standards for sulfur oxides in the Central Arizona, Pima, and Southeast Arizona Intrastate Regions.

[47 FR 19328, May 5, 1982, as amended at 48 FR 1721, Jan. 14, 1983]

§ 52.123 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approved Arizona's plan for the attainment of the national standards.

(b) With the exception set forth in §§ 52.130 and 52.135, the Administrator approves the inspection and maintenance (I/M) program for motor vehicles; the carpool matching program;

certain transit improvements; and certain traffic flow improvement and site-specific traffic control measures.

(c) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph.

(1) For TSP, the portion of the Tucson TSP Air Planning Area falling both within the area described by connecting the geographic points in the order listed below in this paragraph and within the townships and sections described below in this paragraph:

Latitude 32°38.5′ N,	Longitude 111°24.0′ W
Latitude 32°26.5′ N,	Longitude 110°47.5′ W
Latituoe 32°12.5′ N,	Longitude 110°32.5′ W
Latitude 31°49.5′ N,	Longitude 110°25.5′ W
Latitude 31°42.0′ N,	Longitude 110°50.5′ W
Latitude 31°52.5′ N,	Longitude 111°12.5′ W
Latitude 31°24.5′ N,	Longitude 111°29.0′ W

(and return to initial point)

T9S, R9-11E
T10S, R9-13E
T13S, R13E: sections 5, 8-10, 13-17, 20-28, 33-36, 6 (NE and SE quarters only) and 7 (NE and SE quarters only)
T13S, R14E: sections 19-21, 26-35
T14S, R13E: sections 1-3, 10-14, 23-25
T14S, R14E: sections 3-9, 17-19, 30
T17S, R19E
T18S, R19E
T20S, R14-15E

(d) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal by January 1, 1981, of reasonably available control technology (RACT) requirements for sources covered by Control Technique Guidelines (CTG's) published between January 1978 and January 1979.

(1) Maricopa County Urban Planning Area for O_3.

(e) The Administrator finds that the plan does not satisfy all the requirements of Part D, Title I, of the Clean Air Act as amended in 1977 for the nonattainment and area pollutants listed in this paragraph.

(1) Maricopa County Urban Planning Area for CO and TSP.

(2) Tucson CO Air Planning Area for CO.

(3) The following portion of the Tucson TSP Air Planning Area: The area described by connecting the following geographic points in the order listed below:

Latitude 32°38.5′ N,	Longitude 111°24.0′ W
Latitude 32°26.5′ N,	Longitude 110°47.5′ W
Latitude 32°12.5′ N,	Longitude 110°32.5′ W
Latitude 31°49.5′ N,	Longitude 110°25.5′ W
Latitude 31°42.0′ N,	Longitude 110°50.5′ W
Latitude 31°52.5′ N,	Longitude 111°12.5′ W
Latitude 31°24.5′ N,	Longitude 111°29.0′ W

(and return to initial point)

Excluding the area within the following townships:

T9S, R9-11E
T10S, R9-13E
T13S, R13E: sections 5, 8-10, 13-17, 20-28, 33-36, 6 (NE and SE quarters only) and 7 (NE and SE quarters only)
T13S, R14E: sections 19-21, 26-35
T14S, R13E: sections 1-3, 10-14, 23-25
T14S, R14E: sections 3-9, 17-19, 30
T17S, R19E
T18S, R19E
T20S, R14-15E

[38 FR 33373, Dec. 3, 1973, as amended at 48 FR 254, Jan. 4, 1983; 51 FR 3336, Jan. 27, 1986; 51 FR 33750, Sept. 23, 1986]

§ 52.124 Part D conditional approval.

(a) The following portions of the Arizona SIP contain deficiencies with respect to Part D of the Clean Air Act which must be corrected by meeting the indicated conditions of Part D plan approval.

(1) The Maricopa County Urban Planning Area portion of the Arizona SIP is approved as satisfying Part D requirements for ozone provided the following condition is met:

(i) By August 3, 1982, the NSR rules must be revised to meet the requirements in EPA's amended regulations for NSR (45 FR 31307, May 13, 1980 and 45 FR 52676, August 7, 1980).

(2) The portion of the Arizona SIP relating to TSP in the portion of the Tucson TSP Air Planning Area described in § 52.123(c)(1) is approved as satisfying Part D requirements provided the following condition is met:

(i) By November 4, 1982, the NSR regulations must be revised to meet

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the requirements in EPA's amended regulations for NSR (May 13, 1980 (45 FR 31307), August 7, 1980 (45 FR 52676), and October 14, 1981 (46 FR 50766)).

[47 FR 19329, May 5, 1982, as amended at 51 FR 33750, Sept. 23, 1986]

§ 52.125 Control strategy and regulations: Sulfur oxides.

(a)(1) The requirements of Subpart G of this chapter are not met since the control strategy does not analyze the impact of smelter fugitive emissions on ambient air quality (except at Hayden, Arizona) in the Central Arizona Intrastate, the Pima Intrastate, and the Southeast Arizona Intrastate (Cochise and Greenlee counties) Regions. Arizona must submit these smelter fugitive emissions control strategies to EPA by August 1, 1984. In addition, the requirements of § 51.281 of this chapter are not met since the plan does not require permanent control of fugitive smelter emissions necessary to attain and maintain the national standards for sulfur oxides. The control strategy for Hayden shows that these controls are required to attain and maintain the national standards, and the fugitive control strategy analyses required above may show that they are required for some or all of the other smelter towns in Arizona. Arizona must submit all fugitive emissions control regulations necessary to attain and maintain the national standards for sulfur oxides to EPA by August 1, 1984. Therefore, the control strategies and regulations for the six smelter areas in the Central Arizona Intrastate, the Pima Intrastate and the Southeast Arizona Intrastate (Cochise and Greenlee counties) Regions are incomplete due to Arizona's failure to address the fugitive emissions problems at copper smelters.

(2) Regulation 7-1-4.1 (copper smelters) of the Arizona Rules and Regulations for Air Pollution Control, as it pertains to existing copper smelters, is disapproved for the Central Arizona Intrastate, Pima Intrastate and Southeast Arizona Intrastate (Cochise and Greenlee counties) Regions.

(b) The requirements of Subpart G and § 51.281 of this chapter are not met since the plan does not provide the degree of control necessary to attain and maintain the national standards for sulfur oxides in the Northern Arizona Intrastate Region. Therefore, Regulation 7-1-4.2(C) (fuel burning installations) of the Arizona Rules and Regulations for Air Pollution Control, as it pertains to existing sources, is disapproved in the Northern Arizona Intrastate Region for steam power generating installations having a total rated capacity equal to or greater than 6,500 million B.t.u. per hour.

(c) *Replacement regulation for Regulation 7-1-4.2(C) (Fossil fuel-fired steam generators in the Northern Arizona Intrastate Region).* (1) This paragraph is applicable to the fossil fuel-fired steam generating equipment designated as Units 1, 2, and 3 at the Navajo Power Plant in the Northern Arizona Intrastate Region (§ 81.270 of this chapter).

(2) No owner or operator of the fossil fuel-fired steam generating equipment to which this paragraph is applicable shall discharge or cause the discharge of sulfur oxides into the atmosphere in excess of the amount prescribed by the following equations:

$$E = 12.245\ S \text{ or } e = 1.540\ S$$

where:

E = Allowable sulfur oxides emissions (lb./hr.) from all affected units.

e = Allowable sulfur oxides emissions (gm./sec.) from all affected units.

S = Sulfur content, in percent by weight, prior to any pretreatment of the fuel being burned.

(3) For the purposes of this paragraph:

(i) E shall not exceed 21,270 lb./hr. (2,680 gm./sec.).

(ii) If the sum of sulfur oxides emissions from Units 1, 2, and 3 would be less than 3,780 lb./hr. (475 gm./sec.) without the use of emission control equipment, the requirements of paragraphs (2), (4)(i) and (5) of this paragraph (c), shall not apply for the period of time that the emissions remain below this level.

(iii) The applicability of paragraph (c)(2)(ii) of this section may be determined through a sulfur balance utilizing the analyzed sulfur content of the fuel being burned and the total rate of fuel consumption in all affected units.

(4)(i) No owner or operator of the fossil fuel-fired steam generating equipment subject to this paragraph shall discharge or cause the discharge of sulfur oxides into the atmosphere from any affected unit in excess of the amount prescribed by the following equations, except as provided in paragraph (3)(ii) of this paragraph (c).

$$E_i = 0.333\ E \text{ or } e_i = 0.333\ e$$

where:

E = Allowable sulfur oxides emissions (lb./hr.) from all affected units as determined pursuant to paragraph (2) of this paragraph.

e = Allowable sulfur oxides emissions (gm./sec.) from all affected units as determined pursuant to paragraph (2) of this paragraph (c).

E_i = Allowable sulfur oxides emissions (lb./hr.) from each affected unit.

e_i = Allowable sulfur oxides emissions (gm./sec.) from each affected unit.

(ii) The owner or operator of the fossil fuel-fired steam generating equipment to which this paragraph is applicable may submit a request to redesignate the allowable emissions specified in paragraph (c)(4)(i) of this section. Such a request shall be sumitted no later than December 2, 1974, and shall demonstrate that sulfur oxides emissions on a total plant basis will not exceed those specified in paragraphs (2) and (3)(i) of this paragraph (c). Upon receipt and evaluation of such request, the Administrator shall consider such and if appropriate, redesignate the allowable emissions specified in paragraph (c)(4)(i) of this section.

(5) All sulfur oxides control equipment at the fossil fuel-fired steam generating equipment to which this paragraph is applicable shall be operated at the maximum practicable efficiency at all times, without regard to the allowable sulfur oxides emissions, determined according to paragraph (2) or (3) of this paragraph (c), except as provided in paragraph (3)(ii) of this paragraph (c).

(6) Compliance with this paragraph shall be in accordance with the provisions of § 52.134(a).

(7) The test methods and procedures used to determine compliance with this paragraph shall be those prescribed in § 60.46(c)(2) and (c)(4) of this chapter. The test methods for determining the sulfur content of fuel shall be those specified in § 60.45(c) and (d) of this chapter.

(d)-(e) [Reserved]

(f)(1) Paragraphs B through E of regulation 7-1-4.2 (R9-3-402) (Sulfur Emissions: Fuel Burning Installations) of the Arizona Air Pollution Control Regulations are disapproved because they could allow existing oil fired facilities to use dispersion dependent techniques alone as a means of attaining and maintaining the national ambient air quality standards. The regulation does not assure the attainment and maintenance of the national standards in a manner which is consistent with the intent of sections 110(a)(2)(B) and 123(a)(2) of the Clean Air Act.

(2) The approval of paragraphs A and F of regulation 7-1-4.2 as to coal fired facilities does not apply to the Salt River Project Agricultural Improvement and Power District-Navajo Generating Station.

(3) Paragraphs B through E of regulation 8-1-4.2 (Sulfur Emissions—Fuel Burning Installations) of the Yuma County Air Pollution Control Regulations are disapproved because they could allow existing facilities to use dispersion dependent techniques alone as a means of attaining and maintaining the National Ambient Air Quality Standards. This regulation does not assure the attainment and maintenance of the national standards in a manner which is consistent with the intent of sections 110(a)(2)(B) and 123(a)(2) of the Clean Air Act.

(g) Section 3, Regulation 3 (Sulfur from Primary Copper Smelters) of the Mohave County Health Department Air Pollution Control Regulations and Regulation 7-3-2.1 (Copper Smelters) of the Pinal-Gila Counties Air Quality Control District are disapproved since Section 36-1706 of the Arizona Revised Statutes grants exclusive jurisdiction to the Arizona Department of Health Services and the State Hearing Board over all existing copper smelters.

(1) The requirements of § 51.13 of this chapter are not met since the plan does not demonstrate that the emis-

n limitations applicable to existing
l burning equipment producing
ctrical energy will provide for the
inment and maintenance of the
ional standards in the Pima Intra-
e Region (§ 81.269 of this chapter).
) Regulation II: Rule 7A—para-
phs 2 through 5, Emission Limita-
s Fuel Burning Equipment—Sulfur
xide, of the Rules and Regulations
he Pima County Air Pollution Con-
District are disapproved because
y could allow existing facilities to
dispersion dependent techniques
g as a means of attaining and
ntaining the National Ambient Air
lity Standards. The regulation
s not assure the attainment and
ntenance of the national standards
manner which is consistent with
intent of section 110(a)(2)(B) of
Clean Air Act.

FR 15081, July 27, 1972]

ITORIAL NOTE: For FEDERAL REGISTER ci-
ns affecting § 52.125, see the List of
Sections Affected in the Finding Aids
on of this volume.

126 Control strategy and regulations: Particulate matter.

) The requirements of Subpart G
§ 51.281 of this chapter are not
since the plan does not provide
degree of control necessary to
in and maintain the national
dards for particulate matter in
, Maricopa, Pima, Pinal, and
a Cruz Counties. Therefore, Reg-
ion 7-1-3.6 (process industries) of
Arizona Rules and Regulations for
Pollution Control is disapproved
Gila, Maricopa, Pima, Pinal, and
a Cruz Counties.

) *Replacement regulation for Regu-*
n 7-1-3.6 of the Arizona Rules and
lations for Air Pollution Control
, Maricopa, Pima, Pinal, and
a Cruz Counties). (1) No owner or
ator of any stationary process
ce in Gila, Maricopa, Pima, Pinal,
nta Cruz County shall discharge
use the discharge of particulate
er into the atmosphere in excess
e hourly rate shown in the fol-
g table for the process weight
identified for such source:

[In pounds per hour]

Process weight rate	Emission rate	Process weight rate	Emission rate
50	0.36	60,000	29.60
100	0.55	80,000	31.19
500	1.53	120,000	33.28
1,000	2.25	160,000	34.85
5,000	6.34	200,000	36.11
10,000	9.73	400,000	40.35
20,000	14.99	1,000,000	46.72

(2) Paragraph (b)(1) of this section shall not apply to incinerators, fuel burning installations, or Portland cement plants having a process weight rate in excess of 250,000 lb/h.

(3) No owner or operator of a Portland cement plant in Gila, Maricopa, Pima, Pinal, or Santa Cruz County with a process weight rate in excess of 250,000 lb/hr shall discharge or cause the discharge of particulate matter into the atmosphere in excess of the amount specified in § 60.62 of this chapter.

(4) Compliance with this paragraph shall be in accordance with the provisions of § 52.134(a).

(5) The test methods and procedures used to determine compliance with this paragraph are set forth below. The methods referenced are contained in the appendix to Part 60 of this chapter. Equivalent methods and procedures may be used if approved by the Administrator.

(i) For each sampling repetition, the average concentration of particulate matter shall be determined by using method 5. Traversing during sampling by method 5 shall be according to method 1. The minimum sampling time shall be 2 hours and the minimum sampling volume shall be 60 ft^3(1.70 m^3), corrected to standard conditions on a dry basis.

(ii) The volumetric flow rate of the total effluent shall be determined by using method 2 and traversing according to method 1. Gas analysis shall be performed using the integrated sample technique of method 3, and moisture content shall be determined by the condenser technique of method 4.

(iii) All tests shall be conducted while the source is operating at the maximum production or combustion rate at which such source will be operated. During the tests, the source shall burn fuels or combinations of fuels, use raw materials, and maintain process conditions representative of normal operation, and shall operate under such other relevant conditions as the Administrator shall specify.

(c) The requirements of § 51.281 of this chapter are not met since the plan does not contain regulations for Mohave and Yuma Counties in the Mohave-Yuma Intrastate Region or Pinal-Gila Counties in the Central Arizona Intrastate Region which provide enforceable and reproducible test procedures for the determination of compliance with the emission standards. Therefore paragraph C of section 3, regulation 2 (Particulates: Other Sources) of the Mohave County Air Pollution Control Regulations, paragraph B of regulation 8-1-3.6 (Particulates—Process Industries) of the Yuma County Air Pollution Control Regulations, and paragraph C of regulation 7-3-1.4 (Particulate Emissions—Incineration) and paragraph F of regulation 7-3-1.7 (Particulate Emissions—Fuel Burning Equipment) of the Rules and Regulations for Pinal-Gila Counties Air Quality Control District are disapproved.

[37 FR 15081, July 27, 1972, as amended at 38 FR 12704, May 14, 1973; 43 FR 53034, Nov. 15, 1978; 45 FR 67346, Oct. 10, 1980; 51 FR 40676, 40677, Nov. 7, 1986]

§§ 52.127—52.128 [Reserved]

§ 52.129 Review of new sources and modifications.

(a) [Reserved]

(b) *National standards not met.* The requirements of § 51.160(a) of this chapter are not met in the Pima Intrastate Region since the Rules and Regulations of the Pima County Air Pollution Control District are not adequate to prevent construction or modification of a source which would interfere with the attainment or maintenance of the national standards.

(c) *Regulation for review of new sources and modifications.* (1) The requirements of this paragraph are applicable to any stationary source in the Pima Intrastate Region (§ 81.269 of this chapter), the construction or modification of which is commenced after the effective date of this regulation.

(2) No owner or operator shall commence construction or modification of any new source after the effective date of this regulation without first obtaining approval from the Administrator of the location of such source.

(i) Application for approval to construct or modify shall be made on forms furnished by the Administrator, or by other means prescribed by the Administrator.

(ii) A separate application is required for each source.

(iii) Each application shall be signed by the applicant.

(iv) Each application shall be accompanied by site information, stack data, and the nature and amount of emissions. Such information shall be sufficient to enable the Administrator to make any determination pursuant to paragraph (c)(3) of this section.

(v) Any additional information, plans, specifications, evidence or documentation that the Administrator may require shall be furnished upon request.

(3) No approval to construct or modify will be granted unless the applicant shows to the satisfaction of the Administrator that the source will not prevent or interfere with attainment or maintenance of any national standard.

(4)(i) Within twenty (20) days after receipt of an application to construct, or any addition to such application, the Administrator shall advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of paragraph (c)(4)(ii) of this section shall be the date on which all required information is received by the Administrator.

(ii) Within thirty (30) days after receipt of a complete application, the Administrator shall:

(*a*) Make a preliminary determination whether the source should be approved, approved with conditions, or disapproved.

(*b*) Make available in at least one location in each region in which the pro posed source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination and a copy or summary of other materials, if any, considered by the Administrator in making his preliminary determination; and

(ii) Notify the public, by prominent advertisement in a newspaper of general circulation in each region in which the proposed source would be constructed, of the opportunity for written public comment on the information submitted by the owner or operator and the Administrator's preliminary determination on the approvability of the source.

(iii) A copy of the notice required pursuant to this paragraph shall be sent to the applicant and to state and local air pollution control agencies, having cognizance over the location where the source will be situated.

(iv) Public comments submitted in writing within thirty (30) days after the date such information is made available shall be considered by the Administrator in making his final decision on the application. No later than ten (10) days after the close of the public comment period, the applicant may submit a written response to any comment submitted by the public. The Administrator shall consider the applicant's response in making his final decision. All comments shall be made available for public inspection in at least one location in the region in which the source would be located.

(v) The Administrator shall take final action on an application within thirty (30) days after the close of the public comment period. The Administrator shall notify the applicant in writing of his approval, conditional approval, or denial of the application, and shall set forth his reasons for conditional approval or denial. Such notification shall be made available for public inspection in at least one location in the region in which the source would be located.

(vi) The Administrator may extend each of the time periods specified in paragraph (c)(4) (ii), (iv) or (v) of this section by no more than 30 days, or such other period as agreed to by the applicant and the Administrator.

(5) The Administrator may cancel an approval if the construction is not begun within 2 years from the date of issuance, or if during the construction, work is suspended for 1 year.

(6) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with any local, State or Federal regulation which is part of the applicable plan.

(7) Approval to construct or modify shall not be required for:

(i) The installation or alteration of an air pollutant detector, air pollutants recorder, combustion controller, or combustion shutoff.

(ii) Airconditioning or ventilating systems not designed to remove air pollutants generated by or released from equipment.

(iii) Fuel burning equipment, other than smokehouse generators, which has a heat input of not more than 250 MBtu/h (62.5 billion g-cal/h) and burns only gaseous fuel containing not more than 20.0 grain H_2S per 100 stdft^3 (45.8 g/100 stdm^3); has a heat input of not more than 1 MBtu/h (250 Mg-cal/h) and burns only distillate oil; or has a heat input of not more than 350,000 Btu/h (88.2 Mg-cal/h) and burns any other fuel.

(iv) Mobile internal combustion engines.

(v) Laboratory equipment used exclusively for chemical or physical analysis.

(vi) Other sources of minor significance specified by the Administrator.

(8) Any owner or operator who constructs, modifies, or operates a stationary source not in accordance with the application, as approved and conditioned by the Administrator, or any owner or operator of a stationary source subject to this paragraph who commences construction or modification without applying for and receiving approval hereunder, shall be subject to enforcement action under section 113 of the Act.

(d) *Regulation for review of new sources and modifications: Federal Regulations.* (1) This requirement is applicable to any stationary source subject to the requirements of § 52.126(b), the construction or modification of which is commenced after the effective date of this regulation.

(2) No owner or operator shall commence construction or modification of any stationary source after the effective date of this regulation, without first obtaining approval from the Administrator of the location and design of such source.

(i) Application for approval to construct or modify shall be made on forms furnished by the Administrator, or by other means prescribed by the Administrator.

(ii) A separate application is required for each source.

(iii) Each application shall be signed by the applicant.

(iv) Each application shall be accompanied by site information, plans, descriptions, specifications, and drawings showing the design of the source, the nature and amount of emissions, and the manner in which it will be operated and controlled.

(v) Any additional information, plans, specifications, evidence, or documentation that the Administrator may require shall be furnished upon request.

(3) No approval to construct or modify will be granted unless the applicant shows to the satisfaction of the Administrator that the source will operate without causing a violation of § 52.126(b).

(4)(i) Within twenty (20) days after receipt of an application to construct, or any addition to such application, the Administrator shall advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of paragraph (d)(4)(ii) of this section, shall be the date on which all required information is received by the Administrator.

(ii) Within thirty (30) days after receipt of a complete application, the Administrator shall:

(*a*) Make a preliminary determination whether the source should be approved, approved with conditions, or disapproved.

(*b*) Make available in at least one location in each region in which the proposed source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination and a copy or summary of othe materials, if any, considered by th Administrator in making his preliminary determination; and

(*c*) Notify the public, by prominen advertisement in a newspaper of gen eral circulation in each region i which the proposed source would b constructed, of the opportunity fo written public comment on the information submitted by the owner or operator and the Administrator's preliminary determination on the approvability of the source.

(iii) A copy of the notice require pursuant to this paragraph shall b sent to the applicant and to state an local air pollution control agencie having cognizance over the locatio where the source will be situated.

(iv) Public comments submitted i writing within thirty (30) days afte the date such information is mad available shall be considered by th Administrator in making his final decision on the application. No later tha ten (10) days after the close of th public comment period, the applican may submit a written response to an comment submitted by the public. Th Administrator shall consider the applicant's response in making his final decision. All comments shall be mad available for public inspection in a least one location in the region i which the source would be located.

(v) The Administrator shall tak final action on an application withi thirty (30) days after the close of th public comment period. The Administrator shall notify the applicant i writing of his approval, conditional approval, or denial of the application and shall set forth his reasons for conditional approval or denial. Such notification shall be made available fo public inspection in at least one location in the region in which the sourc would be located.

(vi) The Administrator may exten each of the time periods specified i paragraph (d)(4)(ii), (iv) or (v) of thi section by no more than 30 days, o such other period as agreed to by th applicant and the Administrator.

(5) The Administrator may impos any reasonable conditions upon an ap-

roval including conditions requiring he source to be provided with:

(i) Sampling ports of a size, number, nd location as the Administrator may equire,

(ii) Safe access to each port,

(iii) Instrumentation to monitor and ecord emission data, and

(iv) Any other sampling and testing acilities.

(6) The Administrator may cancel an pproval if the construction is not egun within 2 years from the date of ssuance, or if during the construction, ork is suspended for 1 year.

(7) Any owner or operator subject to he provisions of this regulation shall urnish the Administrator written notification as follows:

(i) A notification of the anticipated ate of initial startup of source not ore than 60 days or less than 30 days rior to such date.

(ii) A notification of the actual date f initial startup of a source within 15 ays after such date.

(8) Within 60 days after achieving he maximum production rate at hich the source will be operated but ot later than 180 days after initial tartup of such source, the owner or perator of such source shall conduct performance test(s) in accordance ith the methods and under operating onditions approved by the Administrator and furnish the Administrator a ritten report of the results of such erformance test.

(i) Such test shall be at the expense f the owner or operator.

(ii) The Administrator may monitor uch test and also may conduct performance tests.

(iii) The owner or operator of a ource shall provide the Administrator 5 days prior notice of the performnce test to afford the Administrator he opportunity to have an observer resent.

(iv) The Administrator may waive he requirement for performance tests f the owner or operator of a source as demonstrated by other means to he Administrator's satisfaction that he source is being operated in compliance with the requirements of 52.126(b).

(9) Approval to construct or modify hall not relieve the owner or operator of the responsibility to comply with all local, State, or Federal regulations which are part of the applicable plan.

(10) Approval to construct or modify shall not be required for:

(i) The installation or alteration of an air pollutant detector, air pollutants recorder, combustion controller, or combustion shutoff.

(ii) Air-conditioning or ventilating systems not designed to remove air pollutants generated by or released from equipment.

(iii) Fuel burning equipment, other than smokehouse generators, which has a heat input of not more than 250 MBtu/h (62.5 billion g-cal/h) and burns only gaseous fuel containing not more than 20.0 grain H_2S per 100 stdft^3 (45.8 g/100 stdm^3); has a heat input of not more than 1 MBtu/h (250 Mg-cal/h) and burns only distillate oil; or has a heat input of not more than 350,000 Btu/h (88.2 Mg-cal/h) and burns any other fuel.

(iv) Mobile internal combustion engines.

(v) Laboratory equipment used exclusively for chemical or physical analyses.

(vi) Other sources of minor significance specified by the Administrator.

(11) Any owner or operator who constructs, modifies, or operates a stationary source not in accordance with the application, as approved and conditioned by the Administrator, or any owner or operator of a stationary source subject to this paragraph who commences construction or modification without applying for and receiving approval hereunder, shall be subject to enforcement action under section 113 of the Act.

(e) The requirements of Subpart I of this chapter are not met since the State of Arizona failed to submit a plan for review of new or modified indirect sources.

(f) *Regulations for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Arizona.

(g) *Delegation of authority.* (1) The Administrator shall have the authority to delegate responsibility for implementing the procedures for conducting source review pursuant to this section in accordance with paragraphs (g) (2), (3), and (4) of this section.

(2) Where the Administrator delegates the responsibility for implementing the procedures for conducting source review pursuant to this section to any Agency, other than a Regional Office of the Environmental Protection Agency, a copy of the notice pursuant to paragraphs (c)(4)(iii) and (d)(4)(iii) of this section shall be sent to the Administrator through the appropriate Regional Office.

(3) In accordance with Executive Order 11752, the Administrator's authority for implementing the procedures for conducting source review pursuant to this section shall not be delegated, other than to a Regional Office of the Environmental Protection Agency, for new or modified sources which are owned or operated by the Federal government or for new or modified sources located on Federal lands; except that, with respect to the latter category, where new or modified sources are constructed or operated on Federal lands pursuant to leasing or other Federal agreements, the Federal Land Manager may at his discretion, to the extent permissible under applicable statutes and regulations, require the lessee or permittee to be subject to new source review requirements which have been delegated to a state or local agency pursuant to this paragraph.

(4) The Administrator's authority for implementing the procedures for conducting source review pursuant to this section shall not be redelegated, other than to a Regional Office of the Environmental Protection Agency, for new or modified sources which are located in Indian reservations except where the State has assumed jurisdiction over such land under other laws, in which case the Administrator may delegate his authority to the States in accordance with paragraphs (g)(2), (3), and (4) of this section.

[37 FR 15081, July 27, 1972, as amended at 38 FR 12705, May 14, 1973; 39 FR 7279, Feb. 25, 1974; 39 FR 28285, Aug. 8, 1974; 40 FR 50268, Oct. 29, 1975; 45 FR 67346, Oct. 10, 1980; 51 FR 40677, Nov. 7, 1986]

§ 52.130 Source surveillance.

(a) The requirements of § 51.211 of this chapter are not met since the plan does not contain legally enforceable procedures for requiring sources in the Northern Arizona, Mohave-Yuma, Central Arizona, and Southeast Arizona Intrastate Regions to maintain records of and periodically report on the nature and amounts of emissions.

(b) The requirements of § 51.213 of this chapter are not met because the plan does not provide procedures for obtaining and maintaining data on actual emission reductions achieved as a result of implementing transportation control measures.

(c) *Regulation for source recordkeeping and reporting.* (1) The owner or operator of any stationary source in the Northern Arizona, Mohave-Yuma, Central Arizona, or Southeast Arizona Intrastate Region (§§ 81.270, 81.268, 81.271, and 81.272 of this chapter) shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures. All such emission data will be available during normal business hours at the regional office

egion IX). The Administrator will signate one or more places in Arizo- where such emission data and cor- lations will be available for public in- ection.

(d) The requirements of § 51.214 of is chapter are not met since the plan es not contain legally enforceable ocedures for requiring certain sta- nary sources subject to emission ndards to install, calibrate, operate, d maintain equipment for continu- sly monitoring and recording emis- ons, and to provide other informa- n as specified in Appendix P of Part of this chapter.

(e) The requirements of § 51.214 of is chapter are not met since the plan es not provide sufficient regulations meet the minimum specifications of ppendix P in the Maricopa Intra- te Region. Additionally, Maricopa unty Air Pollution Control Regulation IV, rule 41, paragraph B, sections 6.0-6.4 (Special Consideration) is disapproved since it does not contain the specific criteria for determining those physical limitations or extreme economic situations where alternative monitoring requirements would be applicable.

[37 FR 15081, July 27, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.130, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.131 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Arizona's plan, except where noted.

Air quality control region and nonattainment area	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
ral Arizona Intrastate	July 1975[a].	July 1977[a]	g	g	c	5/31/77	5/31/75
copa Intrastate:							
Maricopa County Urban Planning Area Nonattainment Area.	d	d	b	b	c	(⁴)	d
Remainder of Interstate	e[1]	e[2]	b	b	c	(⁴)	(⁵)
ave-Yuma Intrastate	a	a	a	a	c	a	a
thern Arizona Intrastate	a	a	(³)	(³)	c	c	c
a Intrastate	July 1975[a].	July 1977[a]	g	g	c	5/31/77	5/31/75
theast Arizona Intrastate:							
Cochise County	a	a	g	g	c	c	c
Graham County	a	a	b	b	c	c	c
Greenlee County	a	a	g	g	c	c	c
Santa Cruz County	July 1975[a].	July 1977[a]	b	b	c	5/31/77	5/31/75

[1] July 1975.
[2] July 1977.
[3] July 31, 1977.
[4] May 31, 1977.
[5] May 31, 1975.

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan does not provide a ecific date or the date provided is not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 an Air Act amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment es are set out at 40 CFR 52.131 (1980).

a. July 1975.
b. January 4, 1981.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.
e. Transportation and/or land use control strategy will be proposed by the Administrator.
f. December 31, 1987.
g. January 14, 1986.

7 FR 15082, July 27, 1972, as amended at 38 FR 7325, Mar. 20, 1973; 38 FR 12711, May 14, 73; 43 FR 761, Jan. 4, 1978; 46 FR 45607, Sept. 14, 1981; 47 FR 19329, May 5, 1982; 48 FR 21, Jan. 14, 1983]

§ 52.132 [Reserved]

§ 52.133 Rules and regulations.

(a) Regulation 7-1-1.4(A) (Exceptions) of the Arizona Rules and Regulations for Air Pollution Control, regulations 12-3-2 (Emission Standards) of the Coconino County Rules and Regulations for Air Pollution Control, section 3, regulation 5 (Exceptions) of the Mohave County Air Pollution Control Regulations, regulation 8-1-1.6 (Exceptions) of the Yuma County Air Pollution Control Regulations, and regulation 7-1-2.8 (Exceptions) of the Rules and Regulations for Pinal-Gila Counties Air Quality Control District all provide for an exemption from enforcement action if the violation is attributable to certain events. These events are too broad in scope and the source can obtain the exemption merely by reporting the occurrence. Therefore, the above regulations are disapproved since these regulations make all approved emission limiting regulations potentially unenforceable.

(b) Paragraph E of regulation 7-1-1.3 (R9-3-103) (Air Pollution Prohibited) prohibits any person from causing ground level concentrations to exceed ambient standards outside the boundaries of his operation. This regulation could allow violations of ambient air quality standards to occur in areas to which the public has access, contrary to the requirements of section 110(a)(1) of the Clean Air Act. Therefore, paragraph E of regulation 7-1-1.3 (R9-3-103) of the Arizona Rules and Regulations for Air Pollution Control is disapproved.

(c) The requirements of Subpart G and § 51.281 of this chapter are not met since the plan does not provide any enforceable regulations and a demonstration that such regulations will cause the attainment and maintenance of national ambient air quality standards in Graham and Greenlee Counties.

(d) Section 3, regulation 4 (Ground Level Concentrations) of the Mohave County Air Pollution Control Regulations, paragraph E of regulation 8-1-1.3 (Air Pollution Prohibited) of the Yuma County Air Pollution Control Regulations, and paragraph C of regulation 7-1-1.3 (Air Pollution Prohibited) of the Rules and Regulations
Pinal-Gila Counties Air Quality C
trol District prohibits any person fr
causing ground level concentration
exceed ambient standards outside
boundaries of his operation. Th
regulations could allow violations
ambient air quality standards to oc
in areas to which the general pub
has access, contrary to the requ
ments of section 110(a)(1) of the Cl
Air Act. Therefore, these regulati
are disapproved.

[37 FR 15082, July 27, 1972, as amende
43 FR 33247, July 31, 1978; 43 FR 53
Nov. 15, 1978; 51 FR 40676, 40677, Nov.
1986]

§ 52.134 Compliance schedules.

(a) *Federal compliance schedule.*
Except as provided in paragraph (a)
of this section, the owner or operat
of any stationary source subject
§ 52.126(b) shall comply with such re
ulation on or before January 31, 19
The owner or operator of the sour
subject to § 52.125(c) shall comp
with such regulation at initial start-u
of such source unless a complian
schedule has been submitted pursua
to paragraph (a)(2) of this section.

(1) Any owner or operator in comp
ance with § 52.126(b) on the effecti
date of this regulation shall certi
such compliance to the Administrat
no later than 120 days following t
effective date of this paragraph.

(ii) Any owner or operator wh
achieves compliance with § 52.125(
or § 52.126(b) after the effective da
of this regulation shall certify suc
compliance to the Administrat
within 5 days of the date compliance
achieved.

(2) Any owner or operator of the st
tionary source subject to § 52.125(
and paragraph (a)(1) of this sectio
may, no later than July 23, 197
submit to the Administrator for ap
proval a proposed compliance schedul
that demonstrates compliance wit
§ 52.125(c) as expeditiously as practica
ble but not later than July 31, 1977
Any owner or operator of a stationar
source subject to § 52.126(b) and para
graph (a)(1) of this section may, n
later than 120 days following the ef
fective date of this paragraph, submi

e Administrator for approval a osed compliance schedule that nstrates compliance with 126(b) as expeditiously as practi- e but not later than July 31, 1975. The compliance schedule shall ide for periodic increments of ress toward compliance. The dates achievement of such increments l be specified. Increments of ress shall include, but not be lim- to: Submittal of the final control to the Administrator; letting of ssary contracts for construction or ess change, or issuance of orders the purchase of component parts ccomplish emission control equip- t or process modification; comple- of onsite construction or installa- of emission control equipment or ess modification; and final compli- e.

i) Any compliance schedule for the ionary source subject to § 52.125(c) ich extends beyond July 31, 1975, il apply any reasonable interim measures of control designed to reduce the impact of such source on public health.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(b) Compliance schedules for the sources identified below are approved as meeting the requirements of paragraph (a) of this section. All regulations cited are air pollution control regulations of the State, unless otherwise noted. Approval of a compliance schedule includes approval of all dates for achievement of increments of progress and final compliance as specified therein, and failure to achieve an increment of progress or final compliance by the specified date will be considered a violation of the compliance schedule.

Source	Location	Regulation involved	Effective date	Final compliance date
River Project Agriculture Improve- nt and Power District.	Coconino County	40 CFR 81.125(c) [1]	Immediately [2]	July 31, 1977.
kels Sugar Division	Maricopa County	40 CFR 52.126(b) [1]	Jan. 31, 1974	July 31, 1975.
cers Cotton Oil Co.:				
a. Avra Gin	Pima County	40 CFR 52.126(b) [1]	do	Do.
b. Coolidge Gin	Pinal County	40 CFR 52.126(b) [1]	do	Do.
c. Magma Gin	do	40 CFR 52.126(b) [1]	do	Do.
rican Smelting and Refining Co.:				
a. Reverberatory furnaces and roasters.	do	40 CFR 52.126(b) [1]	do	Nov. 1, 1974.
a Copper Co.:				
a. Reverberatory furnaces	do	40 CFR 52.126(b) [1]	do	May 15, 1975.
b. Converters	do	40 CFR 52.126(b) [1]	do	Dec. 30, 1974.
pendent Gin Co	do	40 CFR 52 126(b) [1]	do	July 31, 1975.
na Gins Co.:				
a. Liberty Gin	Maricopa County	40 CFR 52.126(b) [1]	do	June 30, 1975.
b. South Mountain Gin	do	40 CFR 52.126(b) [1]	do	June 15, 1975.
c. Cashion Gin	do	40 CFR 52.126(b) [1]	do	July 15, 1975.
d. Santa Rosa Gin	Pinal County	40 CFR 52.126(b) [1]	do	June 1, 1975.
e. Chico Gin No. 1	Pima County	40 CFR 52.126(b) [1]	do	July 10, 1975.
f. Chico Long Staple Gin	do	40 CFR 52.126(b) [1]	do	July 31, 1975.
dler Ginning Co.:				
a. Chandler Gin	Maricopa County	40 CFR 52.126(b) [1]	do	Dec. 31, 1974.
b. Serape Gin	do	40 CFR 52.126(b) [1]	do	Do.
c. Higley Gin	do	40 CFR 52.126(b) [1]	do	Nov. 20, 1974.
d. Queen Creek Gin	do	40 CFR 52.126(b) [1]	do	Dec. 31, 1974.
a Grande Oil Mill:				
a. Meal loading system	Pinal County	40 CFR 52.126(b) [1]	do	Nov. 1, 1974.
b. Pneumatic transfer system	do	40 CFR 52.126(b) [1]	do	Do.
ote Co.	Nelson County	7-1-3.1, 7-1-3.2, and 7-1-3.6.	Immediately	Feb. 28, 1975.

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[1] Federally promulgated regulation.

[2] Compliance schedule dated February 4, 1974 and transmitted to EPA on February 5, 1974.

[38 FR 12705, May 14, 1973, as amended at 39 FR 10584, Mar. 21, 1974; 39 FR 43277, Dec. 1974; 40 FR 3994, Jan. 27, 1975]

§ 52.135 Resources.

(a) The requirements of § 51.280 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

[38 FR 16564, June 22, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§§ 52.136—52.139 [Reserved]

§ 52.140 Monitoring transportation trends.

(a) This section is applicable to the State of Arizona.

(b) In order to assure the effectiveness of the inspection and maintenance program and the retrofit devices required under the Arizona implementation plan, the State shall monitor the actual per-vehicle emissions reductions occurring as a result of such measures. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period January 1 to March 31, 1976.

(c) In order to assure the effective implementation of §§ 52.137, 52.138, and 52.139, the State shall monitor vehicle miles traveled and average vehicle speeds for each area in which such sections are in effect and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State of Arizona in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period from July 1 to September 30, 1974. The vehicle miles traveled and vehicle speed data shall be collected on a monthly basis and submitted in a format similar to Table 1.

TABLE 1

Time period____________________

Affected area...

Roadway type	VMT or average ve speed	
	Vehicle type (1)	Ve type (
Freeway		
Arterial		
Collector		
Local		

[1] Continue with other vehicle types as appropriate.

(d) No later than March 1, 1974, t State shall submit to the Administr tor a compliance schedule to impl ment this section. The program d scription shall include the following:

(1) The agency or agencies respons ble for conducting, overseeing, an maintaining the monitoring program

(2) The administrative procedures t be used.

(3) A description of the methods t be used to collect the emission dat VMT data, and vehicle speed data; description of the geographical area t which the data apply; identification o the location at which the data will b collected; and the time periods durin which the data will be collected.

(e) The quarterly reports specified i paragraphs (b) and (c) of this sectio shall be submitted to the Administra tor through the Regional Office, an shall be due within 45 days after th end of each reporting period.

[38 FR 33376, Dec. 3, 1973, as amended at 3 FR 32113, Sept. 5, 1974; 44 FR 27571, Ma 10, 1979]

§§ 52.141—52.142 [Reserved]

§ 52.143 Maintenance of national stand ards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the ven jurisdictions or described area ncluding the territorial area of all unicipalities (as defined in section 02(f) of the Clean Air Act, 42 U.S.C. 857h(f)) geographically located ithin the outermost boundaries of he area so delimited.

(1) Phoenix SMSA Air Quality aintenance Area.

(i) Pollutants for which the area is dentified: Particulate matter, carbon onoxide, and photochemical oxidants.

(ii) Geographical composition of rea:

Maricopa County.

(2) Tucson SMSA Air Quality Maintenance Area.

(i) Pollutants for which the area is dentified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of rea:

Pima County.

[40 FR 41948, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§52.144 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Act are not met, since the plan as it applies to stationary sources under the jurisdiction of the Pima County Health Department and the Maricopa County Department of Health Services and stationary sources locating on Indian lands does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulation for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable State plan for the State of Arizona for that portion applicable to the Pima County Health Department and the Maricopa County Department of Health Services and sources locating on Indian lands.

[48 FR 19879, May 3, 1983]

§52.145 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26, 52.27 and 52.28, are hereby incorporated and made part of the applicable plan for the State of Arizona.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Arizona.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart E—Arkansas

§ 52.170 Identification of plan.

(a) Title of plan: "Arkansas Plan of Implementation for Air Pollution Control."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) A certification that the public hearings on the plan were held was submitted by the State Department of Pollution Control and Ecology on January 25, 1972. (Non-regulatory)

(2) State Department of Pollution Control and Ecology letter outlining projected emission reductions, ASA forecasts, source surveillance, legal authority and interstate cooperation was submitted on February 24, 1972. (Non-regulatory)

(3) Revision of section 16 of the State air code was submitted by the Department of Pollution Control and Ecology on July 7, 1972.

(4) June 27, 1975, letter from the Governor submitting sections 1 through 10 of the Regulations and Strategy of the Arkansas Plan of Implementation for Air Pollution Control except those portions relating to delegation of authority to enforce Federal requirements.

(5) August 16, 1976, statement issued by Director of the Arkansas Department of Pollution Control and Ecology specifying the test and reference methods for determining compliance with emission limitations.

(6) Administrative changes to the Arkansas Air Quality Surveillance Network were submitted by the Ar-

kansas Department of Pollution Control and Ecology on February 15, 1977, January 10, 1978, and March 27, 1978. (Non-regulatory.)

(7) On April 4, 1979, the Governor submitted the nonattainment area plan for the area designated nonattainment as of March 3, 1978.

(8) On August 14, 1979, the Governor submitted supplemental information clarifying the plan.

(9) Revisions to Arkansas Regulation 4.5(a) for the "Control of Volatile Organic Compounds" showing a final compliance date of June 1, 1981, was submitted by the Arkansas Governor on December 10, 1979.

(10) A modification to the definition for lowest achievable emission rate (LAER), consistent with the definition contained in section 171(3) of the Act, was submitted by the Arkansas Governor on December 10, 1979.

(11) On July 11, 1979, the Governor submitted revisions to section 6(a) malfunction or upset and section 7(e) continuous emission monitoring of the Arkansas Regulations.

(12) Revisions to section 3 (i.e., 3.(a), (b), (k), (l), (n), (o), (z), (bb), (dd), (ee), (ff), and (gg)), section 4 (i.e., 4.1(b), 4.2(a), 4.5(a)(1), 4.5(a)(2), 4.6(c), and 4.6(d)), and section 5 (i.e., 5.4 and 5.5) were adopted by the Arkansas Commission on Pollution Control and Ecology on September 26, 1980 and submitted by the Governor on October 10, 1980.

(13) Revisions to section 3 (i.e., 3.(ii) through 3.(nn)), section 4 (i.e., 4.1, 4.5(a)(1), 4.5(a)(2), and 4.6(e)), and section 5 (i.e., 5.6) of the Arkansas Regulations for the Control of Volatile Organic Compounds were adopted by the Arkansas Commission on Pollution Control and Ecology on April 10, 1981 and submitted by the Governor on April 23, 1981.

(14) A variance to Regulation 8 for Weyerhaeuser Gypsum Plant in Nashville, Arkansas was submitted by the Governor on June 29, 1981.

(15) On April 23, 1981, the Governor submitted revisions to the plan to incorporate Federal Prevention of Significant Deterioration (PSD) Regulations 40 CFR 52.21 by reference.

(16) On September 11, 1981, the Governor submitted a revision to section 8 of the Regulations of the Arkansas Plan of Implementation for Air Pollution Control which implements an emission limit for Energy Systems Company of El Dorado, Arkansas.

(17) The Arkansas State Implementation Plan for lead was submitted to EPA on December 10, 1979, by the Governor of Arkansas as adopted by the Arkansas Department of Pollution Control and Ecology on November 16, 1979. A letter of clarification dated January 5, 1982, also was submitted.

(18) Revisions to the plan for intergovernmental consultation, interstate pollution abatement, and composition of the Arkansas Commission on Pollution Control and Ecology were submitted to EPA by the Arkansas Department of Pollution Control and Ecology on January 9, 1980.

(19) Revision to the plan for maintenance of employee pay was submitted to EPA by the Arkansas Department of Pollution Control and Ecology on January 9, 1980.

(20) On April 24, 1980, the Governor submitted final revisions to the ambient monitoring portion of the plan.

(21) On December 10, 1979, the Governor submitted a revision to Section 5.1(a) of the Regulation of the Arkansas Plan of Implementation for Air Pollution Control, which controls VOC emissions. This revision was adopted by the Arkansas Commission on Pollution Control and Ecology on November 16, 1979.

(22) On July 12, 1985, the Governor submitted a revision entitled, "Protection of Visibility in Mandatory Class I Federal Areas, May 6, 1985." This submittal included new source review regulations and visibility monitoring strategy as adopted by the Arkansas Commission on Pollution Control and Ecology on May 24, 1985.

(i) Incorporation by reference.

(A) New source review regulations include amendments to rules and regulations of the Arkansas Department of Pollution Control and Ecology entitled, "Prevention of Significant Deterioration Supplement to the Arkansas Plan of Implementation for Air Pollution Control," Sections 1 through 6, adopted on May 24, 1985.

(B) Arkansas Department of Pollution Control and Ecology Minute der No. 85-12, adopted May 24, 85.

(ii) Additional Material.

(A) Narrative submittal, including roduction, and visibility monitoring rategy.

(23) A revision to the Arkansas Plan Implementation of Air Pollution ntrol was submitted by the Gover- r on November 25, 1985.

(i) Incorporation by reference. (A) t 763 of 1985 (public availability of ission data) approved April 3, 1985. t 763 of 1985 amends section 82- 37 (Industrial secrets confidential— vealing a misdemeanor) of the Ar- nsas Water and Air Pollution Con- ol Act.

(24) A revision to the Arkansas Plan Implementation for Air Pollution ntrol was submitted by the Gover- r on December 16, 1985.

(i) Incorporation by reference. (A) t 817 of 1983 (permit fees) adopted March 25, 1983. Act 817 of 1983 added sections 82-1916 thru 82-1921 to the Arkansas Statutes. (B) Arkansas Department of Pollution Control and Ecology Regulation No. 9 (Regulations for Development and Implementation of a Permit Fee System for Environmental Permits) adopted by the Arkansas Commission on Pollution Control and Ecology on November 16, 1984. Only those portions of Regulation No. 9 related to air permits are incorporated.

[37 FR 10850, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.170, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.171 Classification of regions.

The Arkansas plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
tral Arkansas Intrastate	II	III	III	III	III
ropolitan Fort Smith Interstate	II	III	III	III	III
ropolitan Memphis Interstate	I	III	III	III	III
roe (Louisiana)-El Dorado (Arkansas) Interstate	II	III	III	III	I
rtheast Arkansas Intrastate	III	III	III	III	III
rthwest Arkansas Intrastate	III	III	III	III	III
veport-Texarkana-Tyler Interstate	II	III	III	III	III

7 FR 10850, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 6571, Jan. 29, 80]

52.172 Approval status.

With the exceptions set forth in this bpart, the Administrator approves rkansas' plan for the attainment and aintenance of the national standards der section 110 of the Clean Air Act. rther, the Administrator finds that e plan satisfies all requirements of rt D of the Clean Air Act, as amend- in 1977, except as noted below.

FR 6571, Jan. 29, 1980]

2.173 Extensions.

a) The Administrator hereby ex- ds to December 31, 1982, the attain- nt date for ozone in Pulaski county.

[45 FR 6571, Jan. 29, 1980]

§ 52.174 [Reserved]

§ 52.175 Resources.

(a) The requirements of § 51.280 of this chapter are not met since the plan shows a lack of manpower resources and the associated funds necessary to carry out the plan during the 5-year period following its submission.

[37 FR 10851, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.176 Attainment dates for national standards.

The following table presents the latest dates by which the national standar are to be attained. These dates reflect the information presented in Arkansa plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Le
	Primary	Secondary	Primary	Secondary				
Central Arkansas Intrastate:								
a. Pulaski County	*a*	*a*	c	c	c	c	d	
b. Remainder of AQCR	*a*	*a*	c	c	c	c	c	
Metropolitan Fort Smith Interstate	b	*a*	c	c	c	c	c	
Metropolitan Memphis Interstate	*a*	*a*	c	c	c	c	c	
Monroe (Louisiana)-El Dorado (Arkansas) Interstate	b	*a*	c	c	c	c	*a*	
Northeast Arkansas Intrastate	c	c	c	c	c	c	c	
Northwest Arkansas Intrastate	c	c	c	c	c	c	c	
Shreveport-Texarkana-Tyler Interstate	b	*a*	c	c	c	c	c	

a. July 1975.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provid specific date or the date provided was not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act pr to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadline. The ear attainment dates are set out at 40 CFR 52.176 (1978).

[45 FR 6571, Jan. 29, 1980, as amended at 47 FR 16330, Apr. 16, 1982]

§§ 52.177—52.180 [Reserved]

§ 52.181 Significant deterioration of air quality.

(a) The Arkansas plan, as submitted, is approved as meeting the Requirements of Part C, Title I, of the Clean Air Act.

(b) Regulations for prevention of significant deterioration of air quality. The provisions of § 52.21 (b) through (r) are hereby incorporated by reference and made a part of the State Implementation Plan for the State of Arkansas.

[47 FR 2112, Jan. 14, 1982]

§ 52.182 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met because the State neither identified areas of the State which have the potential for violation of air quality standards within ten years nor provided an adequate justification that there are n such areas in the State.

(b) The area listed below is hereb identified by the Administrator pursuant to § 51.110 (h) and (i) of this chap ter as having the potential for viola tion of the specified national ambien air quality standard within 10 years The identified area consists of the territorial area encompassed by th boundaries of the given jurisdiction or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Ai Act, 42 U.S.C. 1857h(f)) geographicall located within the outermost boundaries of the area so delimited.

(1) Little Rock Air Quality Maintenance Area.

(i) Pollutant for which the area i identified: Particulate matter.

(ii) Geographical composition o area:

Pulaski County.
Saline County.

FR 41948, Sept. 9, 1975; 41 FR 22816,
7, 1976, as amended at 51 FR 40676,
7, 1986]

183 Visibility protection.

) The requirements of section 169A
the Clean Air Act are not met be-
se the plan does not include ap-
able procedures for protection of
bility in mandatory Class I Federal
s.

) *Long-term strategy.* The provi-
s of § 52.29 are hereby incorporat-
into the applicable plan for the
te of Arkansas.

FR 45138, Nov. 24, 1987]

Subpart F—California

220 Identification of plan.

) Title of plan: "The State of Cali-
nia Implementation Plan for
hieving and Maintaining the Na-
al Ambient Air Quality Stand-
s".

) The plan was officially submitted
February 21, 1972.

) The plan revisions listed below
e submitted on the dates specified.

1) Air quality data submitted on
ril 10, 1972, by the Air Resources
ard.

2) Report on status of regulations
mitted on April 19, 1972, by the Air
sources Board.

3) Emission inventory submitted on
ril 21, 1972, by the Air Resources
ard.

4) Air quality data submitted on
ril 26, 1972, by the Air Resources
ard.

5) Air quality data submitted on
y 5, 1972, by the Air Resources
ard.

) Revised regulations for all
CD's submitted on June 30, 1972,
the Governor.

7) Information (Non-regulatory) re-
ding air quality surveillance sub-
tted on July 19, 1972, by the Air Re-
rces Board.

8) Compliance schedules submitted
December 27, 1973, by the Air Re-
rces Board.

9) Compliance schedules submitted
February 19, 1974, by the Air Re-
rces Board.

(10) Compliance schedules submitted on April 22, 1974, by the Air Resources Board.

(11) Compliance schedules submitted on June 7, 1974, by the Air Resources Board.

(12) Compliance schedules submitted on June 19, 1974, by the Air Resources Board.

(13) Compliance schedules submitted on September 4, 1974, by the Air Resources Board.

(14) Compliance schedules submitted on September 19, 1974, by the Air Resources Board.

(15) Compliance schedules submitted on October 18, 1974, by the Air Resources Board.

(16) Compliance schedules submitted on December 4, 1974, by the Air Resources Board.

(17) Compliance schedules submitted on January 13, 1975, by the Air Resources Board.

(18) Air quality maintenance area designations submitted on July 12, 1974, by the Governor.

(19)-(20) [Reserved]

(21) Revised regulations for the following APCD's submitted on July 25, 1973, by the Governor.

(i) Lassen County APCD.

(A) Appendix A (Implementation Plan for Agricultural Burning) and Appendix B (Enforcement).

(ii) Modoc County APCD.

(A) Rule 3:10A and Regulation V (Rules 5:1 to 5:7).

(iii) Siskiyou County APCD.

(A) Rules 2.13, 4.5, 4.12, 4.13, 4.14, and Implementation Plan for Agricultural Burning.

(iv) Bay Area APCD.

(A) Regulation 1.

(*1*) Division 1, Sections 1000-1010.

(*2*) Division 2, Section 2000.

(*3*) Division 3, Sections 3000-3004, 3100-3111, 3115-3118, 3120, and 3200-3500.

(*4*) Division 4.

(B) Regulation 4.

(*1*) Sections 1-2.

(C) Regulation 2.

(*1*) Division 1, Sections 1214 to 1214.3.

(D) Regulation 3.

(*1*) Division 1, Sections 1205 to 1205.3.

(v) Butte County APCD.

(A) Sections 1-1 to 1-35, 2-8, 2-10 to 2-11, 2A-1 to 2A-18, 3-2 to 3-2.1, 3-6, 3-9, 3-10.1, 3-11.1, 3.14, and 3.16.

(vi) San Diego County APCD.

(A) Rules 41, 55, 58, and 101-113.

(vii) Tehama County APCD.

(A) Rules 1:2, 3:1-3, 3:3a, 3:3b, 3:4-3:5, 3:5a, 3:6-3:14, 4:6, and Implementation Plan for Agricultural Burning.

(viii) Yuba County APCD.

(A) Rules 1.1, 2.1-2.2, 2.10, 4.11, and Agricultural Burning Regulations, Sections 1 to 6.

(B) Rule 4.5.

(ix) Kings County APCD.

(A) Rules 102, 105-108, 110, 404-406, 409, 417-I, II, IV, and 510.

(B) Rule 111.

(x) Colusa County APCD.

(A) Rule 6.5 and Amendment Number 3.

(B) Rule 4.4g.

(xi) Imperial County APCD.

(A) Agricultural Burning Implementation Plan (Rules 200-206).

(xii) Sacramento County APCD

(A) Rules 72, 90, 91, and 92.

(xiii) Ventura County APCD.

(A) Rules 2, 37, 56, 59, 60, and 101.

(xiv) Yolo-Solano APCD.

(A) New or amended Rules 1.2 (a, b, d to g, i to x, and z to ae), 1.4, 2.4(e), 2.8, 2.9, 4.1 to 4.5, 5.1 to 5.18, 6.1 (i) and (j), 6.2 to 6.5, and 6.7 to 6.8.

(xv) San Bernardino County APCD.

(A) New or amended Rules 5(a), 53A, 57, 57.1, 57.2.

(xvi) Santa Barbara County APCD.

(A) Rules 2(a, b, k, l, m, n, o, p, q, r, s, t, u, v, w), 40 [with the exception of 40(4)(m)].

(xvii) Calaveras County APCD.

(A) Rules 110 and 402(f).

(xviii) Los Angeles County APCD (Metropolitan Los Angeles portion).

(A) Amended Rule 45.

(22) Revised regulations for the following APCD's submitted on November 2, 1973 by the Governor's designee.

(i) Bay Area APCD.

(A) Regulation 2.

(1) Division 1, Section 1222.

(2) Division 3, Section 3211.

(3) Division 4, Section 4113.

(4) Division 8, Sections 8414-8416.

(5) Division 9, Sections 9613, 9615, 9711.3, and 9711.5.

(6) Division 11, Section 11101.

(23) Revised regulations for the
lowing APCD's submitted on Jan
22, 1974 by the Governor's designe

(i) Sacramento County APCD.

(A) Rule 30.

(ii) Santa Barbara County APCD

(A) Rules 22, 24.1, 24.2.

(24) Revised regulations for the
lowing APVD's submitted on July
1974, by the Governor's designee.

(i) Sutter County APCD.

(A) Rule 1.3

(ii) Bay Area APCD.

(A) Regulation 1: *(1)* Sections
3114, 3119 and 3122.

(iii) San Diego County APCD.

(A) Regulation IX.

(B) Rule 61.

(iv) Stanislaus County APCD.

(A) Rules 103, 108, 108.1, 113,
402, 403, 404, 405, 409.1, 409.2, 418,
505, 518, and 401.1.

(B) Rule 110.

(v) Tehama County APCD.

(A) Rules 3:14 and 4:18.

(B) Rule 4:17.

(vi) Shasta County APCD.

(A) Rules 1:1 to 1:2, 2:6(1.
2:6(1.)(b) (i-ii and iv-vii) 2:6(1.)(c)(
2:6(1.)(d-e), 2:6(2-4), 2:7, 2:8(a-c),
2:11, 2:14, 2:25, 3:1 to 3:9, 3:11 to
and 4:1 to 4:23.

(B) Rule 3:10.

(vii) Kern County APCD.

(A) Rules 102, 103, 108, 108.1,
113, 114, 301, 305, 401, 404, 405, 4
409, 411, 413, 414, 417-I and II,
516, and 518

(B) Rule 111.

(C) Rules 601-615, except those
tions pertaining to sulfur dioxide
the 12-hour carbon monoxide cri
levels.

(viii) Sacramento County APCD.

(A) Rules 11, 39, 44, 70, 73, and

(B) Rules 123 and 124, except t
portions that pertain to the 12-
CO criteria level.

(ix) Yolo-Solano APCD.

(A) Rule 2.22.

(B) New or amended Rules 1.2(
and y), 1.3, 2.11 to 2.16, 2.19, 4.3,
5.6, and 5.12.

(x) Ventura County APCD.

(A) Rules 2, 3, 31, 32, 200, 203,
204.

(B) Rule 32.

(C) Rules 70, 73.

(D) Rule 96.

) Rule 111.
) Santa Barbara County Air Pol-
n Control District.
) Ru'es 150 to 152, 154 to 159,
, and 161 to 164, except those por-
pertaining to nitrogen oxides,
r dioxide and the 12-hour carbon
oxide criteria levels.
) Revised regulations for the fol-
g APCD's submitted on October
974 by the Governor's designee.
Fresno County APCD.
) Rules 102, 103, 108, 108.1, 111-
401, 404-406, 408, 409.1, 409.2, 416,
a, b, c(2), c(3), d, e(2), and f, 505
518.
) Rule 110.
) New or amended Rules 402 (a to
16.1(c)(1), 416.1(e)(1), 416.1(e)(3),
416.1(e)(4).
) Rules 601-615, except those por-
pertaining to sulfur dioxide and
12-hour carbon monoxide criteria
s.
) San Joaquin County APCD.
) Rules 102, 103, 108, 108.1, 108.2,
305, 404-406, 407.2, 407.3, 408,
, 409.1, 409.2, 410, 413, 414, 416,
A to C, and D.3 to E., 417, 420,
, 421, 504, 505, and 510-520.
) Rule 110.
) New or amended Rules 416.1
1) and (D)(2).
) Lake County APCD.
) Parts II—V, Sections 3-7 of Part
Parts XI-XIII, Appendix A (Agri-
ural Burning Definitions A-M,
ning Regulations/Agricultural
ning (Farm) 1-9, /Farm 1-3, /
ge 1-2), Appendix B (Parts I-II,
IV-1, 2, 5, and 6, Part V-1, 4, 5
6, Parts VI-VII, Part VIII-1-7 and
rts IX-X), Tables I-IV.
) Tulare County APCD.
) Rules 102, 103, 108.1, 110, 112-
302, 401, 404-406, 407.3, 408, 410,
, 410.2, 411, 420, 503-505, and 515.
) Ventura County APCD.
) Rules 2 and 125.
) Santa Barbara County Air Pollu-
Control District.
) Rule 160B, except those portions
aining to nitrogen oxides, sulfur
ide and the 12-hour carbon mon-
e criteria levels.
) Monterey Bay Unified APCD.
) Rules 100 to 106, 300 to 303, 400
01, 403, 404(a)(b)(d), 405 to 408
412 to 417, 419 to 420, 500 to 508, 600 to 616, and 800 to 816.

(26) Revised regulations for the following APCD's submitted on January 10, 1975, by the Governor's designee.

(i) Sutter County APCD

(A) Rule 4.1

(ii) Bay Area APCD

(A) Regulation 2: (*1*) Sections 2018.1-2.

(B) Regulation 7.

(C) Regulation 8.

(iii) Butte Çounty APCD.

(A) Sections 3-11, 3-12, and 3-12.1.

(iv) Glenn County APCD.

(A) Sections 2, 3.1, 10-14.3, 16, 17, 21, 21.1, 24, 57, 58, 81, 85, 86, 95.1, 118, 122.1-122.3, 154 and 155.

(B) Rules 95.2 and 95.3.

(v) Yuba County APCD.

(A) Agricultural Burning Regulations, sections 1 and 3.

(vi) Colusa County APCD.

(A) Rules 6.2 and 6.4.d. (1-2).

(vii) Fresno County APCD.

(A) Rules 409, 417, 503, 507, 513, and 515.

(viii) Mariposa County APCD.

(A) Rules 101, 102, 201, 202, 203 (a-f, h, i, and k), 204-216, 301-303, 305-306, 308-313, 315-323, 401-403, 405-409, and 600-618.

(B) Rule 203(j).

(ix) Sierra County APCD.

(A) Rules 101, 102, 201-216, 301-323, 405-409, 601-620, 6, 27, 29, and 51-56.

(x) Shasta County APCD.

(A) Rules 2:6(5)(b), 3:1, 3:2, 4:6, and 4:14.

(xi) Tulare County APCD.

(A) Rules 417 and 417.1a. thru d., e.2., and f.

(B) New or amended Rules 417.1 (e)(1), (e)(3) and (e)(4).

(xii) Kern County APCD.

(A) Rules 410 and 503.

(xiii) Madera County APCD.

(A) Rules 102, 103, 105, 108, 112-114, 301, 305, 401, 402, (a-e, and g), 404-406, 407.2, 407.3, 408, 409, 409.1 409.2, 412, 416, 416.1a, b, c(2), c(3), d, e(2), f, 504, 505, and 518.

(B) Rule 402(f).

(C) Rule 110.

(D) New or amended Rules 416.1 (c)(1), (e)(1), (e)(3), and (e)(4).

(xiv) Yolo-Solano APCD.

(A) New or amended Rule 6.1 (a), (b), (c), (d), (e), and (g) (1, 2, and 3).

(xv) Monterey Bay Unified APCD.

(A) Rules 49 to 411 and 421.

(xvi) Plumas County APCD.

(A) Rule 203(j).

(B) New or amended Rules 101, 102, 201, 202, 204, 206, 209, 210(a), 214, 216, 216-49, 216-50, 216-51, 216-54, 216-55, 216-56, 216-1, 216-2, 216-3, 305, 306, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 401, 403, 405, 406, 408, 701, 702, 704, 705, 706, 707, 708, 709, 711, 712, 713, 714, 715, 716, 717.

(C) Previously approved and now deleted (without replacement) Rules 51.7, 57.5, 62, 70.

(xvii) Placer County APCD.

(A) New or amended Rules 102, 105, 201, 202, 204, 209, 312, 403, 405, 406, 701, 705, 707, 711, 712, 713, 714, 716, 717.

(27) Revised regulations for the following APCD's submitted on April 10, 1975, by the Governor's designee.

(i) Stanislaus County APCD.

(A) Rule 409.

(ii) Tehama County APCD.

(A) Rule 4.6.

(iii) Sacramento County APCD.

(A) Rules 12, 22a, 22b, 25, 32-34, and 40.

(iv) Bay Area APCD.

(A) Regulation 2, section 1302.2 and section 1302.22.

(B) Rules 32, 33, 34, 38, 40.

(v) San Bernardino County APCD.

(A) New or amended Rule 73.

(vi) Riverside County APCD.

(A) New or amended Rule 57.

(vii) Nevada County APCD.

(A) New or amended Rules 101, 102, 105, 106, 107, 201, 202, 203 [with exception of (g)], 204, 206, 208, 209, 210(a), 212, 214, 215, 301, 302, 303, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 322, 401, 403, 405, 406, 408, 601, 602, 701, 702, 703, 705, 706, 707, 708, 709, 711, 712, 713, 714, 715, 716, 717.

(viii) El Dorado County APCD.

(A) New or amended Rules 101, 102, 202, 204, 206, 209, 210(a), 212, 214, 301, 305, 306, 309, 310, 311, 312, 313, 315, 316, 317, 318, 323, 401, 403, 405, 406, 408, 601, 602, 701, 702, 704, 705, 706, 707, 708, 709, 711, 712, 713, 714, 715, 716, 717.

(B) Previously approved and now deleted (without replacement) Rules 5, 6, 7.

(ix) [Reserved]

(x) Santa Barbara County APCD.

(A) Rules 32, 36, 36.3, 36.4, 36.5, 38.

(28) Revised regulations for the lowing APCD's submitted on July 1975, by the Governor's designee.

(i) Sutter County APCD

(A) Rules 1.2, 2.82, and 4.11.

(ii) San Diego County APCD.

(A) Rule 66.

(iii) Yuba County APCD

(A) Rule 1.1.

(iv) Calaveras County APCD.

(A) Rules 102, 201-215, 301-323, 403, 405-408, 409 (Public Recor 601-604, 700-717, 105, 106, 110, 407 409 (Organic Solvents), 409.1 (Ar tectural Coatings), 409.2 (Disposal Evaporation of Solvents), 412, and

(v) Tuolumne County APCD.

(A) Rules 102, 201, 202, 203, (a-f, h and k), 204-216, 301-303, 305-306, 313, 315-323, 400-403, 405-408, (Public Records), 600-618, 105-1 301-304, 409 (Fuel Burning Equ ment, Oxides of Nitrogen), 410, 412-414.

(vi) Kings County APCD.

(A) Rule 410.

(vii) Shasta County APCD.

(A) Rule 2.8(e).

(viii) Kern County APCD.

(A) Rules 115, 407.1, 422, and 423.

(ix) Sacramento County APCD.

(A) Rule 93.

(x) Riverside County APCD.

(A) New or amended Rule 53.

(xi) Orange County APCD (Met politan Los Angeles portion).

(A) Amended Rule 53.

(29) Revised regulations for the lowing APCD's submitted on Nove ber 3, 1975 by the Governor's design

(i) Lake County APCD.

(A) Part III, Number 59a.

(ii) Sacramento County APCD.

(A) Rules 13 and 14.

(B) Rules 71, 112, and 113.

(iii) Monterey Bay Unified APCD.

(A) Rule 418.

(iv) Bay Area APCD.

(A) Regulation 2, section 1302.21 a section 1302.23.

(v) San Diego County.

(A) Rule 63.

(B) Rules 112, 113.

(vi) Ventura County APCD.

(A) Rules 65, 66, 72, and 73.

) Revised regulations for the fol-
APCD's submitted on February
76 by the Governor's designee.
Bay Area APCD
Regulation 1: (*1*) Section 3121.
Regulation 6.
Butte County APCD
Section 3-11.2
Yuba County APCD.
Agricultural Burning Regula-
sections 1 and 3.
Colusa County APCD.
Rule 6.6A.I and 6.6A.II-1. (a-f).
Fresno County APCD.
Rules 115, 422, 423, and 407.
San Joaquin County APCD.
Rules 114, 401, 402, 407.1, 409,
22 and 423.
[Reserved]
Rule 411.1 and 411.2.
) Lake County APCD.
Table V.
) Sacramento County APCD.
Rules 94-97.
Ventura County APCD.
Rules 70 and 71.
Southern California APCD.
New or amended Rules 501, 502,
507, 508, 509, 511, 512, 513, 514,
516, 517, 518, 801, 803, 804, 807,
809, 810, 811, 813, 814, 815, 817.
) Santa Barbara County APCD.
) Rule 32.1.
) Revised regulations for the fol-
ng APCD's submitted on April 21,
by the Governor's designee.
Great Basin Unified APCD.
) [Reserved]
) Rules 100 to 107, 215, 300 to 303,
to 402, 404 to 413, 416 to 421, 500
1, 600 to 616, and 800 to 817.
) Alpine County APCD: Rules 1.4,
4.2-1, 4.7, 4.7-1, 4.8, 4.10, 4.11, and

) Inyo County APCD: Rules 1.3,
4.1, 4.10, 4.11, 4.12, and 5.1.
) Mono County APCD: Rules 1.4,
4.2-1, 4.7, 4.7-1, 4.8, 4.10, 4.11, 5.1,
5.18.
) Sutter County APCD
) Rule 4.1
) San Diego County APCD.
) Rule 5.
) Glenn County APCD
) Sections 14.3 and 15.
) Kings County APCD.
) Rule 411.
) Rules 412 and 412.1.
) Southern California APCD.

(A) Rules 461 and 462.

(B) New or amended Rules 103, 104, 105, 106.

(C) Rules 201-207, 209-212, 214-217, and 219.

(vii) Santa Barbara County APCD.

(A) Rule 35.1 and 35.2.

(B) Rule 2(x).

(C) Rule 63, except those portions pertaining to sulfur dioxide and the 12-hour carbon monoxide criteria levels.

(viii) Fresno County APCD.

(A) Rule 411 and 411.1.

(ix) Kern County APCD.

(A) Rule 412 and 412.1.

(x) Stanislaus County APCD.

(A) Rule 411 and 411.1.

(xi) Tulare County APCD.

(A) Rule 412 and 412.1.

(xii) Madera County APCD.

(A) Rule 411.1 and 411.2.

(xiii) Ventura County APCD.

(A) Rules 2, 4, 36, 40, 41, 42, 43, 104, 201, and 202.

(xiv) Yolo-Solano APCD.

(A) New or amended Rules 6.1(f) (1 and 2), (g)(4), (h) (1 and 2) and 6.6.

(xv) Nevada County APCD.

(A) Amended Rule 211.

(xvi) Bay Area APCD.

(A) Regulation 2, section 3212.

(B) Regulation 3, section 3203.

(xvii) [Reserved]

(xviii) Amador County APCD.

(A) Rule 404.

(B) New or amended Rules 101, 102, 104, 105, 106, 107, 201, 202, 204, 206, 207.1, 209, 210(A), 211, 212, 213.2, 213.3, 214, 305, 307, 308, 312, 401, 402, 403, 405, 406, 408, 409, 601, 602, 603, 702, 704, 705, 706, 707, 708, 709, 711, 712, 713, 714, 715, 716, 717.

(C) Previously approved and now deleted (without replacement) Rules 18.1 (Regulation V), 22 (Regulation V).

(32) Revised regulations for the following APCD's submitted on August 2, 1976 by the Governor's designee.

(i) Bay Area APCD.

(A) Regulation 2: (*1*) Sections 2022.1-2, 2035.1, 3211.1, and Divisions 16-18.

(ii) Stanislaus County APCD.

(A) Rules 102, 104, 105, 111, 112, 114, 301, 305, 407.1, 416, 416.1, 422, 423, 501, 504, and 511.

(iii) Merced County APCD.

(A) Rules 411 and 411.1.

(B) Rule 109.

(C) New or amended Rules 102, 103, 103.1, 104, 105, 108.1, 110 to 115, 302, 401, 404, 405, 407.1, 408.1, 408.2, 409, 409.1, 409.2, 410, 412, 416, 416.1[(I), (II) (A-L), (II) (N-O), (III), (IV), (V), and (VI)], 421(a), 501, 504, 505, 511, and 518.

(D) Previously approved and now deleted (without replacement) Rules 102(hh) and 102(ii).

(iv) Southern California APCD.

(A) New or amended Rules 403, 404, 405, 407, 408, 409, 432, 441, 443, 464, 465, 467, 470, 471, 472, 473, 504, 505, 510, 802, 805, 806, 812, 816.

(B) Previously approved and deleted (without replacement).

(*1*) Los Angeles County APCD Rules 53.1, 55.

(*2*) San Bernardino County APCD Rules 50, 51.

(*3*) Riverside County APCD Rule 55.

(*4*) Orange County APCD Rule 55.

(C) Rules 202 and 219.

(v) Plumas County APCD.

(A) Amended Rule 324.

(vi) El Dorado County APCD.

(A) Amended Rule 211.

(33)-(34) [Reserved]

(35) Revised regulations for the following APCDs submitted on November 10, 1976 by the Governor's designee.

(i) Sacramento County APCD.

(A) Rules 1, 2, 11, 12, 21, 22a, 22b, 24, 25, 27, 28, 29, 33, 39, 44, 70, 71, 90, 92, 93, 94, 95, 96, 97, 98, and definitions list addition to Regulation VII.

(B) Rule 14.

(ii) Southern California APCD.

(A) Rule 461.

(iii) Ventura County APCD.

(A) Rule 70.

(B) Rules 2, 57, 72, and 73 and Regulation VII (Rules 110-129).

(iv) Santa Barbara County APCD.

(A) Rule 35.2.

(v) San Joaquin County APCD.

(A) Rules 102, 103, 103.1, 104, 105, 111, 112, 301, 305, 402, 416.1, 501, 504, 511.

(vi) Tulare County APCD.

(A) Rules 102, 103, 103.1, 104, 105, 110, 112, 115, 305 (402 paragraphs a. through e. and g.), 405, 407.1, 407.3, 409, 417.1, and 421.

(B) Rules 111 and 402(f).

(vii) Fresno County APCD.

(A) Rules 407 and 408.

(viii) Imperial County APCD.

(A) Rules 100, 114.5, 131.5, a
148.D(3).

(ix) Del Norte County APCD.

(A) Rule 540.

(B) [Reserved]

(C) New or amended Rules 100, 1
120, 130, 150, 160 (except 160(a) a
non-criteria pollutants), 190, 24
(except paragraph (3)), 300, 310, 3
340, 400(b), 410(a), 410(c), 420, 4
440, 470, 480, 482, 500, 510, 520, 6
610, 620, 630, 640, and 650; and the f
lowing portions of Regulation 2: G
eral prohibitions (all of page 1), Ar
cles I and II, paragraphs A1, A2, A
A4, 5, 7, and 8 of Article III, and Ar
cles IV to VII.

(x) San Diego County APCD.

(A) Rules 2(k), 3, 50, 52, 53, 60, 62.

(xi) Monterey Bay Unified APCD.

(A) Rules 101, 104, 106, 214, 3
404(c), 406, 407, 415, 601 to 603, 6
801, 805, and 811.

(xii) San Luis Obispo County APC

(A) New or amended Rules 101 *Ti*
102, 103, 105(A)(2) through 105(A)(4
106, 108, 109, 110 *Enforcement*, 1
401, 403, 405, 408, 409, 410, 801, 8
803, 804, 805, 806, 807, 808, 809, 8
811, 812, 813, 814, 815, 816, 817.

(B) Rule 107.

(C) Rules previously approved a
now deleted (without replacemen
101(1)(b), 101(2), 101(3), and 101(4) *E*
fective Date, 110 *Prohibitions*, 116(
116(3), 119(1) and 119(4).

(D) Amended Rules 501 and 502 (se
tions A-F, H-I, K-N, O(1), P-Q).

(E) New or amended Rules 202, 2
206, 207, 208, 209, 210, and 211.

(xiii) Kern County APCD.

(A) New or amended Rules 1
102(d), 102(oo), 103, 103.1, 104 to 10
110, 112, 301(f), 305(a), 402 (c) and (e
417(I)(A), 417(II)(B)(L), 501, and 511.

(B) Rule 504.

(xiv) Humboldt County APCD.

(A) Rule 540.

(B) [Reserved]

(C) New or amended Rules 100, 11
120, 130, 150, 160 (except 160(a) an
non-criteria pollutants), 190, 240(
(except paragraph (3)), 300, 310, 32
340, 400(b), 410(a), 410(c), 420, 43
440, 470, 480, 482, 500, 510, 520, 60
610, 620, 630, 640, and 650; and the fo
lowing portions of Regulation 2: Ge
eral prohibitions (all of page 1), Art

I and II, paragraphs A1, A2, A3,
, 7, and 8 of Article III, Articles
VII, and Appendix A.
) Previously approved and now de-
(without replacement) Rules 5, 6,
7, and 95.
) Mendocino County APCD.
) Rule 540.
) [Reserved]
) New or amended Rules 100, 110,
130, 150, 160 (except 160(a) and
riteria pollutants), 190, 300
ept paragraph (a)), 310, 340,
b)), 410(b), 410(c), 430, 440, 460,
480, 482, 500, 510, 520, 600, 610,
630, 640, and 650; and the follow-
portions of regulation 2: General
ibitions (all of page 1), Articles I
II, paragraphs A1, A2, A3, A4, 5, 7,
8 of Article III, Articles IV and V,
cle VI(a) to (i), Article VII, and
ndices B and C.
) Previously approved and now de-
(without replacement) Parts IV,
B, VI-1, and VI-4.
vi) Northern Sonoma County
CD.
) Rule 540.
) New or amended Rules 100, 110,
130, 150, 160, (except 160(a) and
-criteria pollutants), 190, 300, 310,
340, 400(b), 410(a), 410(c), 420,
440, 470, 480, 482, 500, 510, 520,
610, 620, 630, 640, and 650; and
following portions of Regulation 2:
eral prohibitions (all of page 1),
icles I and II, paragraphs A1, A2,
A4, 5, 7, and 8 of Article III, Arti-
IV and V, paragraphs (a) to (i) of
icle VI, and Article VII.
vii) Trinity County APCD.
A) Rule 540.
B) [Reserved]
C) New or amended Rules 100, 110,
130, 150, 160 (except 160(a) and
-criteria pollutants), 190, 240(d)
ept paragraph (3)), 300, 310, 320,
400(b), 410(a), 410(c), 420, 430,
470, 480, 482, 500, 510, 520, 600,
620, 630, 640, and 650; and the fol-
ng portions of regulation 2: Gener-
prohibitions (all of page 1), articles
d II, paragraphs A1, A2, A3, A4, 5,
d 8 of article III, articles IV and V,
graphs (a) to (i) of article VI, and
cle VII.
) Revised regulations for the fol-
ng APCD were submitted on November 19, 1976, by the Governor's designee.

(i) Southern California APCD.

(A) Rules 213, 213.1, and 213.2.

(37) Revised regulations for the following APCD's submitted on February 10, 1977, by the Governor's designee.

(i) Southern California APCD.

(A) New or amended Rules 102, 468, 469, 474, 475, 476.

(B) Rule 430.

(C) Amended Rule 431.

(ii) San Diego County APCD.

(A) Rule 68.

(iii) San Luis Obispo County APCD.

(A) Rule 112, and Rules 404(A) through 404(B)(1)(a), 404(B)(1)(c), 404(B)(2), 404(B)(3), 404(B)(4), 404(c), 404(D), and 404(E).

(iv) Lake County APCD.

(A) Rules 500, 510, and 511.

(B) New or amended sections 100, 200 to 205.1, 207 to 234, 236, 238 to 260, 300, 301, 400, 401, 402 (A to E, and G), 410, 411, 412 (A and C), 430 to 439, 520, 530 to 533, 800, 900 to 902, 1000 to 1003, 1100, 1200, 1300, 1400, 1500, 1600, 1601, 1610, 1611, 1612, 1620, 1700, 1701, 1710 to 1714, 1720 to 1725, 1730, 1731 to 1736, and tables I, II, III, IV, and V.

(C) Previously approved and now deleted (without replacement) part II; sections 9, 15, 18, 28, 42, 43, 49a, 49b, 50, 52, and 54 of part III; sections 1 to 4 of part IV; section (1)(B) of part V; and parts IV and VI of Appendix B.

(v) Tuolumne County APCD.

(A) Rule 404.

(B) New or amended Rules 102, 202, 203, 206, 207, 208, 209, 213, 215, 216, 217, 301, 302, 303, 304, 308, 319, 321, 322, 323, 324, 402, 407, 409, 601, 602, 603, 604, 605, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, and 717 and rescinded Rules 413 and 414.

(38) Revisions to air pollution emergency episode plans submitted on June 1, 1977 by the Governor's designee.

(i) South Coast Air Quality Management District's Regulation VII Emergencies as revised on May 6, 1977. No action has been taken on those portions of Rules 702, 703, 704, 706, 708, 708.2, 710, 711, 712 and 714 that pertain to sulfate, oxidant in combination with sulfate, or oxidant in combination with sulfur dioxide. No action has been taken on Rules 708.2(b)(3)(B), 708.2(b)(4)(B), 708.2(b)(4)(C) and 708.2(b)(5)(C).

(39) Revised regulations for the following APCDs submitted on June 6, 1977, by the Governor's designee.

(i) Great Basin Unified APCD.

(A) Rule 403.

(ii) San Bernardino County APCD (Southeast Desert portion).

(A) Rule 430.

(B) Rules 201-207, 209-212, 213, 213.1, 213.2, 214-217, and 219.

(C) New or amended Rules 104, 106, 208, 218, 401, 403, 53-A(a), 407 to 409, 431, 432, 441 to 443, 464 to 470, 472, 473, 475, 476, 503 to 508, 510 to 518, 801 to 817.

(D) Deleted without replacement Regulation VI—Orchard or Citrus Grove Heaters.

(E) Rules 703, 704 (except those portions that pertain to the criteria levels for carbon monoxide and sulfur dioxide), 705, 706, 707, 708, 709, 710, 711, 713, and 714.

(iii) Los Angeles County APCD (Southeast Desert portion).

(A) Rule 430.

(B) Rules 201-207, 209-212, 213, 213.1, 213.2, 214-217, and 219.

(C) New or amended Rules 101, 102, 2, 103 to 106, 208, 218, 301, 42, 401, 403 to 405, 407 to 409, 431, 432, 441 to 444, 461, 463 to 476, 502 to 518, 801 to 817.

(D) Deleted without replacement Rule 53.1, and Regulation VI—Orchard or Citrus Grove Heaters.

(E) Rules 701, 702, 703, 704 (except those portions that pertain to the criteria levels for carbon monoxide and sulfur dioxide), 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, and 715.

(iv) Riverside County APCD (Southeast Desert portion).

(A) Rule 430.

(B) Rules 201-207, 209-212, 213, 213.1, 213.2, 214-217 and 219.

(C) New or amended Rules 103, 104, 208, 218, 301, 42, 401, 403 to 405, 53, 56, 407 to 409, 431, 432, 441 to 444, 463 to 476, 73, 503 to 518, 801 to 817.

(D) Deleted without replacement Regulation V—Orchard, Field or Citrus Grove Heaters.

(E) Rules 702, 703, 704 (except those portions that pertain to the criteria levels for carbon monoxide and sulfur dioxide), 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, and 715.

(v) Yolo-Solano APCD.

(A) Amended Rule 2.21.

(vi) South Coast Air Quality M
agement District.

(A) Amended Rule 461.

(B) Amended Rule 431.

(vii) Mariposa County APCD.

(A) New or amended Rules 102(
102(E), 102(S), 102(II), 102(SS),
(with the exception of (D)), 206(
207, 208, 211, 215, 216, 301, 302,
304, 308, 319, 320, 321, 322, 324,
404, 407, 507, 514, 600, 603, and 610.

(B) Previously approved and now
leted (without replacement) R
203(k).

(viii) Sierra County APCD.

(A) New or amended Rules 102(
102(E), 102(S), 102(II), 102(SS),
(with the exception of (D) and (
206(B), 207, 208, 211, 215, 216, 301,
303, 308, 319, 320, 321, 322, 324,
404, 407, 409, 507, 514, 516, 600 to

(B) Previously approved and now
leted (without replacement) Ru
203(j) and 620.

(ix) Plumas County APCD.

(A) New or amended Rules 102(
102(E), 102(S), 102(II), 102(SS),
(with the exception of (D) and (
206(B), 207, 208, 211, 215, 216, 301,
303, 304, 307, 308, 319, 320, 321,
324, 402, 404, 407, 409, 507, 514, 602
605, 700, 703, and 710.

(x) Nevada County APCD.

(A) New or amended Rules 102(
102(E), 102(S), 102(II), 102(SS),
104, 203(e and i), 206(B), 207, 216,
319, 320, 321, 402, 407, 409, 507,
700, 703(E and I), 704, 710 and 711(

(40) [Reserved]

(41) Revised regulations for the
lowing APCD's submitted on Octo
13, 1977, by the Governor's designee.

(i) Kings County APCD.

(A) New or amended Rules 412
412.2.

(ii) San Diego County APCD.

(A) New or amended Rules 2(b),
2(u), 2(v), 2(w), 3, 19.2, 40, 42, 50,
53, 54, 61.5, 64, 65, 66, 68, 71, 76, 77,
95, 96, 101(f), 102(d), 102(e), 103(
103(g), 104, 109, and 177.

(B) Previously approved and now
leted (without replacement) Rule 1

(C) Regulation VIII, Rules 126-
and Appendix A, except as these ru
apply to the 12-hour carbon monox
episode criteria specified in Rule 12

(iii) Bay Area APCD.

(A) New or amended rules: Regula- n 1, section 3121 and Regulation 2, ctions 3210.5 to 3210.11.

(iv) Ventura County APCD.

(A) New Rule 105.

(v) Kern County APCD.

(A) Rule 108.

(vi) San Luis Obispo County APCD.

(A) New Rule 113.

(vii) Monterey Bay Unified APCD.

(A) New Rules 215, 422.

(viii) Amador County APCD.

(A) New or amended Rules 102(C), (F), 102(AW), 103, 205(A)(1), 207, 2, 216, 302(A), 304, 305(C), 313(A), 7, 602.1, 604, 605, 701, 703(E) and 0.

(ix) Calaveras County APCD.

(A) New or amended Rules 102, 203 ith the exception of (D) and (G)), (B), 207, 208, 209, 211, 215, 216, 217, 1, 302, 303, 304, 319, 320, 321, 322, 3, 324, 402, 404, 407, 507, 602 to 604, 0, 702, 703, 710, and 715.

(B) Previously approved and now de- ted (without replacement) Rule 3(J).

(x) Placer County APCD.

(A) New or amended Rules 101, 102, 3, 104, 203 (with the exception of G)), 206, 207, 208, 210, 211, 213, 214, 1 to 311, 313 to 322, 401, 402, 404, 7, 408, 409, 507, 603 to 605, 702 to 4, 706, 708, 709, 710, 715, 801 to 804.

(xi) Tulare County APCD.

(A) New or amended Rules 108 and 2.1

(xii) Shasta County APCD.

(A) New or amended Rules 1:2 (with e exception of the definition of person"); 2:6(1)(a), (1)(b), (i-ii),)(b)(iii), (a, b, and d), (1)(b), (iv-vii),)(c), (i-vi and viii), (1) (d and e), (2) -d and f), (3) (a-c and e-g), (4) (a-c nd e-i), (5) (b-d); 2:7, 2:8; 3:2 (except rt VI and VII of table II, and ex- lanatory notes 6 and 7); 3:4, 4:1, 4:5, , 4:14, and 4:19.

(xiii) Madera County APCD.

(A) Amended Rule 412.1.

(xiv) South Coast Air Quality Man- gement District.

(A) New or amended Rules 101 and 2 (except for the definition of "agri- ltural burning").

(xv) Northern Sonoma County PCD.

(A) New or amended Rules 420(e) and (f), and 455(a) and (d).

(42) Revised regulations for the following APCD's submitted on November 4, 1977 by the Governor's designee.

(i) Imperial County APCD.

(A) New or amended Rules 100 to 110, 113 to 115, 301 to 303, 305, 401, 403 to 406, 408, 409, 411 to 416, 419 to 422, 501 to 516, and 701 to 706.

(B) Previously approved and now deleted (without replacement), Rules 106B, 113, 128, 131 and 147.

(C) Rules 601, 602 (except those portions that pertain to the criteria levels for carbon monoxide and sulfur dioxide), 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, and 614.

(D) New Rule 417 (A-H, and J).

(ii) Sacramento County APCD.

(A) Rules 3, 7(a) to 7(b)(2), 7b(4) to 7(d), 9, 11, 12, 13, 14, 15, 21, 22a, 23, 24, 25, 26, 94, 95, 96, 97, and 98.

(B) Rules 120, 121, 122, 125, and 126, except those portions that pertain to the 12-hour CO criteria level.

(iii) Kings County APCD.

(A) New or amended Rules 102, 103, 103.1, 104, 105, 108, 108.1, 110, 111, 112, 113, 401, 402(a) to 402(d), 402(f), 402(g), 404, 404.1, 405, 405.1, 405.2, 405.3, 406, 407.1, 409, 410, 416.1, 417, 417.1, 418, 421, and 501.

(B) Previously approved and now deleted, Rule 405.1.

(iv) Stanislaus County APCD.

(A) New or amended Rules 103.1, 108, 411.1.

(v) Merced County APCD.

(A) Amended Rules 411(b) and 411.1.

(vi) Kern County APCD

(A) Rule 412.1.

(vii) San Luis Obispo County APCD.

(A) New or amended Rules 105(A)(1), 407, 501(A)(7), 502(A)(3).

(viii) Glenn County APCD.

(A) New or amended Rules 82, 152, and 154.

(ix) Great Basin Unified APCD.

(A) New or amended Rules 300, 423, and 617.

(B) Previously approved and now deleted (without replacement) Rules 411 and 418.

(x) El Dorado County APCD.

(A) New or amended Rules 102, 201, 203 [with the exception of (G)], 206(B), 207, 208, 215, 216, 217, 217-49 to 217-50, 217-51(A to D), 217-53 to

217-56, 217-1 to 217-3, 302, 303, 304, 307, 308, 319, 320, 321, 322, 324, 402, 407, 409, 507, 700, 703 and 710.

(xi) Fresno County APCD.

(A) New or amended Rules 411.1 and 416.1(g).

(xii) San Joaquin County APCD.

(A) New or amended Rules 108 and 411.2.

(xiii) San Bernardino County Desert APCD.

(A) New or amended Rules 101, 102, 103, 105, 404, 405, 406(a), 444, 461, 462, 463, 471, 474, 501, 502 and 509.

(B) Previously approved and now deleted without replacement Rules 44 and 53.1.

(C) Rules 701, 702, 712, and 715.

(xiv) Riverside County APCD.

(A) New or amended Rules 101, 102, 105, 461, and 501.

(B) Rule 701.

(xv) Del Norte County APCD.

(A) New or amended Rules 240(e), 420 (e) and (f), and 455 (a) and (d), and Appendix D to regulation 1.

(xvi) South Coast Air Quality Management District.

(A) New or amended Rules 218, 463, and 466.

(B) Rules 702 (map only) and 708.2.

(C) Rules 714 and 715.1 (except those portions that pertain to sulfate, oxidant in combination with sulfate, and oxidant in combination with sulfur dioxide).

(xvii) Humboldt County APCD.

(A) New or amended Rules 240(e), 420 (e) and (f), and 455 (a) and (d), and Appendix D to Regulation 1.

(xviii) Santa Barbara County APCD.

(A) New Rule 39.3.

(xix) Mendocino County APCD.

(A) New or amended Rules 240(e), 420 (e) and (f), and 455 (a) and (d), and Appendix D to Regulation 1.

(xx) Trinity County APCD.

(A) New or amended Rules 240(e), 420 (e) and (f), and 455 (a) and (d), and Appendix D to Regulation 1.

(xxi) Northern Sonoma County APCD.

(A) New or amended Rules 240(e), 310, and Appendix D to Regulation 1.

(xxii) Monterey Bay Unified APCD.

(A) Regulation VII, Rules 700-713.

(43) [Reserved]

(44) Revised regulations for the following APCD's submitted on June 22, 1978, by the Governor's designee.

(i) Great Basin Unified APCD.

(A) Amended Rule 419.

(ii) Santa Barbara County APCD.

(A) New Rule 24.15.

(iii) Ventura County APCD.

(A) New or amended Rules 2, 7, an 56 (with the exception of Section B(2)(c) and C).

(iv) Yolo-Solano APCD.

(A) Amended Rules 1.2 (preamble 1.4, 2.8(c)(2), 2.13(h)(4), 2.15, 2.17, 2.2 4.4(b), 5.1, 5.4(e)(1), 5.10, 5.11, an 6.7(f).

(B) Previously approved and now de leted (without replacement) Rul 2.8(b)(4).

(v) South Coast Air Quality Manage ment District.

(A) Rules 102, 501.1, and 503.

(vi) San Diego County APCD.

(A) New or amended Rules 66, 67. and 67.1.

(45) Revised regulations for the fo lowing APCD's submitted on July 1 1978 by the Governor's designee.

(i) Bay Area APCD.

(A) New or amended Regulation Division 3, sections 3210.11(B), 3211. Regulation 3, Division 3, § 3102.1; Re ulation 9.

(ii) South Coast AQMD.

(A) Rules 302, 461, 465, 1102, an 1113.

(iii) San Diego County APCD.

(A) New or amended Rules 42, 7 and 97.

(46) The following Administrativ Chapters of the California SIP, sub mitted on December 29, 1978, by th Governor's designee.

(i) Chapter 2—Statewide Perspec tive.

(ii) Chapter 20—Compliance.

(iii) Chapter 23—Source Surveil lance.

(iv) Chapter 24—Resources.

(v) Chapter 25—Intergovernmenta Relations.

(47) Revised regulations for the fo lowing APCD's submitted on Januar 2, 1979 by the Governor's designee.

(i) South Coast AQMD.

(A) New or amended Rules 301, 30 708.3, 1201-1206, 1209-1211, 1214, 121 1220-1221, 1223-1224 and 1231.

(B) New or amended Rules 462, 48 and 1104.

(ii) Fresno County APCD.

A) New or amended Rules 110, .1, and 519.

B) New or amended Rule 409.1.

ii) Kern County APCD.

A) New or amended Rules 111, 301, d 519.

B) Rule 412.

v) Lake County APCD.

A) New or amended Rules 435, and , and Tables V and VI.

) Monterey Bay Unified APCD.

A) Amended Rule 301.

vi) Siskiyou County APCD.

A) Amended Rule 4.3.

vii) San Luis Obispo County APCD.

A) Rule 407.

B) New or amended Rule 201.

48) Chapter 3—Legal Authority of e California SIP, submitted on rch 16, 1979, by the Governor's designee.

49) Addendum to Chapter 23 of the lifornia SIP submitted on March 29, 79, by the Governor's designee.

50) Revised regulations for the folwing APCD's submitted on May 7, 79, by the Governor's designee.

i) Del Norte County APCD.

A) New or amended Rules 240, 0(a) and (c), and 615.

ii) Humboldt County APCD.

A) New or amended Rules 240, 410) and (c), 615.

iii) Mendocino County APCD.

A) New or amended Rules 240, 410, d 615.

iv) Trinity County APCD.

A) New or amended Rules 240, 410) and (c), and 615.

v) Northern Sonoma County APCD.

A) New or amended Rules 240, 300, 0, 320, 410 (a) and (c), 420, 540, 615.

vi) Merced County APCD.

A) New or amended Rule 409.1.

B) New or amended Rule 519.

vii) Modoc County APCD.

A) New or amended Rules 1:2 w, 1, 2:15, 3:3 and 3:4.

viii) Monterey Bay Unified APCD.

A) Rules 403 and 602.

ix) Ventura County APCD.

A) New or amended Rules 71 and .3.

B) New or amended Rule 11.

x) San Diego County APCD.

A) New or amended Rule 10(h) and letion of Rule 43.

(51) Revised regulations for the folwing APCD's submitted May 23, 79, by the Governor's designee.

(i) Kern County APCD.

(A) Amended Rules 305 and 503.

(B) Rules 410.1 and 424.

(ii) Monterey Bay Unified APCD.

(A) Rule 417.

(B) Rule 617.

(iii) Del Norte County APCD.

(A) New or amended Rules 130, 300, 310, 320, 420, 540 and Regulation 1/Appendix D.

(iv) Humboldt County APCD.

(A) New or amended Rules 130, 300, 310, 320, 420, 540 and Regulation 1/Appendix D.

(v) Mendocino County APCD.

(A) New or amended Rules 130, 300, 310, 320, 420, 540 and Regulation 1/Appendix D.

(vi) Trinity County APCD.

(A) New or amended Rules 130, 300, 310, 320, 420, 540 and Regulation 1/Appendix D.

(vii) San Diego County APCD.

(A) Amended Rules 2(t), 61.5, and 61.7.

(B) New or amended Rules 19.2(d)(4), 50, 62(a), 66(P) and (W), 95, and 98.

(C) New or amended Rule 11.

(viii) San Joaquin County APCD.

(A) New or amended Rule 409.1.

(B) New or amended Rules 110 (a), (b), and (d)-(l), 301, 303-311, and 511.

(C) New or amended Rules 102, 108.2, 110(c), 302, 401, and 521.

(ix) Stanislaus County APCD.

(A) New or amended Rule 409.1.

(B) New or amended Rule 110 (A), (B) and (D)-(I).

(C) New or amended Rules 110(c) and 519.

(x) Tulare County APCD.

(A) New or amended Rules 410.1 and 413.

(B) New or amended Rules 111 (a), (b), and (d)-(l), 402, and 417.

(C) New or amended Rules 108, 111(c), 201, 410 and 519.

(xi) Lake County APCD.

(A) New Rules 227.1, 254.1, and 660.

(xii) San Bernardino County Desert APCD.

(A) New Rules 480 and 501.1.

(B) New or amended Rules 442, 463, and 1113.

(xiii) Santa Barbara County APCD.

(A) New or amended Rules 101, 102, 103, 104, 201(A, B, D, E, F, and G), 202, 203, 204, 205(A and B), 206, 207, 208, 209, 210, 211, 301, 302, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314, 315, 317, 319, 322, 324, 328, 401, 402, 403, 501, 502, 503, 504, 505, 505-A, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 601, 602, 603, 604, 605, 606, 607, 608, 609, and 610.

(xiv) El Dorado County APCD—Lake Tahoe Air Basin Portion.

(A) New or amended Rules 101, 102 (except LAER, stationary source, modification definitions), 103, 104, 201-203, 206A-212, 217, 301-305, 307-310, 312-321, 404, 702-704, 706-710, and 801-804. Deleted Rules 59(g)(1), 102I, 102S, 102BB, 102FF, 102GG, 102LL, 102RR, 208, 214, 601, 602, and 700.

(B) Amended Rule 306.

EDITORIAL NOTE: At 47 FR 27068, June 23, 1982, the following paragraph (c)(51)(xiv)(B) was added to § 52.220. This paragraph will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(B) New or amended Rules 102, LAER, stationary source, and modifications; 213; and 214.

(xv) Placer County APCD—Mountain Counties Air Basin Portion.

(A) New or amended Rules 404, 602, and 603.

(B) Deletion of Rules 604 and 605.

(xvi) Sacramento County APCD.

(A) Amended Rule 71.

(xvii) Shasta County APCD.

(A) Amended Rule 3.4.

(xviii) *Sierra County APCD.* (A) New or amended Rules 207, 210, 211, 218 and 618.

(xix) Tehama County APCD.

(A) Amended Rule 2.1 and previously approved and now deleted Rule 2.9 (Action on Applications).

(xx) Ventura County APCD.

(A) New or amended Rules 6, 8, 9, 13, 24, 40, 63, 75, 102, 103, 110, 111, 112, 113, 114, 120, 121, 123, 124, 125, 126, 127, and 130.

(52) Revised regulations for the following APCD's submitted October 15, 1979, by the Governor's designee.

(i) Kern County APCD.

(A) Amended Rule 302

(B) Rules 410.4, 410.5, and 414.2.

(ii) Imperial County APCD.

(A) Rules 415.1 and 424.

(B) New or amended Rules 101 L, 110, 201B, 301, 302, 304, 306, 401, 404, 406, 408, 410, 417 I, 418, 419, 422, Re ulation VI, 701, 702, 703 (deletio 705, and 706.

(iii) [Reserved]

(iv) Kings County APCD.

(A) New or amended Rules 210 (except paragraphs (3)(D) a (5)(B)(8)), 210.2, 410.1, 410.2, 410. 410.5, 412.1, 413, 414.1, and 414.2.

(B) New or amended Rules 111 ((B), and (D)-(I), 301, 302, and 401.

(C) New or amended Rules 111(and 519.

(v) Madera County APCD.

(A) New or amended Rules 210. 410.1, 410.3, 410.5, 411, and 412.

(B) New or amended Rules 102, 1 103.1, 104, 105, 108, 108.1, 110, 1 210.3, 301, 305, 402(a)-(e), 409, 4 416, 417, 418, 501, 504, 511, 601, 6 603, 606-611, and 612.

(C) New or amended Rules 111(402(f) and 519.

(vi) Merced County APCD.

(A) New or amended Rules 210 (except paragraphs (3)(D) a (5)(B)(8)), 210.2, 409.5, and 411.

(B) New or amended Rules 109 ((B), and (D)-(I).

(C) New or amended Rule 109(c).

(vii) San Joaquin County APCD.

(A) New or amended Rules 209 (except paragraphs (B)(3) a (D)(2)(b)), 209.2, 409.3, 410, 411.1, 4 413.1, 413.2, and 413.3.

(B) New or amended Rule 209.3.

(C) New or amended Rule 209.4.

(viii) Stanislaus County APCD.

(A) New or amended Rules 209.2 a 411.

(ix) Tulare County APCD.

(A) New or amended Rules 210 (except paragraphs (C)(4) a (e)(2)(H)), 210.2 and 410.5.

(B) New or amended Rules 301 a 302.

(x) Lake County APCD.

(A) Amended Rule 433.

(xi) Amador County APCD.

(A) New or amended Rules 102, 10 107, 203, 206B, 207, 209-211, 213, 21 216, 301-313, 315-324, 401, 402, 40 407, 409, Regulation VI, 700-704, 71 and 711.

(xii) Nevada County APCD.

(A) New or amended Rules 207, 21 211, 218, 306, 307, and 404.

(xiii) Placer County APCD—Mou tain Counties Air Basin Portion.

A) New or amended Rules 101, 102,
201, 202, 207, 210, 211, 220-222,
310, and 312-323.
B) New or amended Rules 215 and

C) Rule 508 (except paragraph
3)(h)).
D) New or amended Rules 501B,
504, 506, 512, and 513.
iv) Tuolumne County APCD.
A) New or amended Rules 207, 210,
and 404.
v) Fresno County APCD.
A) New or amended Rules 210.1
cept paragraphs (3)(D) and
B)(8)], 210.2, 409.5, 409, 409.3,
4, and 411.
B) New or amended Rules 301, 302,
305.
vi) Yuba County APCD.
A) New or amended Rules 1, Section
(except Silviculture Deletion), 1.1
cept PPM), 2.0-2.2, 2.4 except (a),
2.12, 2.15-2.20, 2.22-2.24, 2.27, 2.30,
tion 5 (Deletion), 5.0-5.3, 5.5-5.19,
6.7, 7, 7.1 and 8.1.
B) New or amended Rules 2.3 and
(a).
vii) San Diego County APCD.
A) New or amended Rule 67.7 and
2.
viii) Shasta County APCD.
A) New or amended Rules 1.1, 1.2,
1, 2.12, and 3.2 (except rows (vi) and
)).
B) Amended Rule 2:5.
xix) Yolo—Solano APCD.
A) New or amended Rules 4.1-4.3.
B) New or amended Rules 301, 302,
305.
xx) Sacramento County APCD.
A) New or amended Rule 1.
xxi) Siskiyou County APCD.
A) New or amended Rules 2.14-2.16.
(53) Revisions to air pollution emer-
cy episode plans submitted on Feb-
ry 14, 1980 by the Governor's desig-
e.
i) Bay Area Air Quality Manage-
nt District Rules 100, 101, 300, 301,
303, 304, 305, 400, 401, 402, 403,
404.
(54) Revised regulations for the fol-
ing APCD's submitted on February
1980, by the Governor's designee.
i) Ventura County APCD.
A) Rules 150, 152, 153, 154, 155, 156,
158, 159, 160, 161, and 162.
B) New or amended Rule 71.1.

(C) New or amended Rules 56, 80, 81, and deletion of Rules 17, 151, 163, and 164.

(ii) Monterey Bay Unified APCD.

(A) Rule 422 and deletion of Rule 508.

(B) Amended Rule 416.

(iii) San Luis Obispo County APCD.

(A) Rules 301, 302, 303, and 304.

(iv) Yolo—Solano APCD.

(A) Amended Rule 5.4.

(B) New or amended Rules 2.21, 2.21.1, 2.24 and 2.25.

(C) New or amended Rule 3.13.

(v) Sacramento County APCD.

(A) New or amended Rule 17.

(B) [Reserved]

(C) New or amended Rules 3.13, 3.4.1, and 3.4.2.

(vi) Sutter County APCD.

(A) New or amended Rules 1.4, 2.8.1 (Deletion), 2.17, and 2.82.

(vii) Yuba County APCD.

(A) Amended Rule 2.26.

(viii) Butte County APCD.

(A) New Rule 2-12.e.

(B) Amended Rules 4.5A and 4.5B.

(ix) Tehama County APCD.

(A) Amended Rules 2.5A and 2.5B.

(x) Colusa County APCD.

(A) New or amended Rules 2.7 A and B.

(xi) Glenn County APCD.

(A) New or amended Rules 51.1 and 51.2.

(xii) Shasta County APCD.

(A) New or amended Rules 1:2 (Best Available Control Technology, Stationary Source and Precursor) and 2:1 A.

(55) The following material for Imperial County was submitted on October 11, 1979 by the Governor's designee.

(i) Summary of Plan Compliance with Clean Air Act Requirements.

(ii) Imperial County plan to attain National Ambient Air Quality Standards for oxidants, October 31, 1978.

(iii) SIP Revision—Imperial County ARB Staff Report, No. 79-4-2.

(iv) ARB resolution 79-9, February 21, 1979.

(v) Copies of Board hearing testimony.

(56) Revised regulations for the following APCDs submitted on March 17, 1980, by the Governor's designee.

(i) Imperial County APCD.

(A) Rules 207 [except Subparagraph C.4.], 208, and 209.

(ii) Ventura County APCD.

(A) Amended Rule 26.3.

(B) New or amended Rules 10, 25, and 27.

(57) The *North Central Coast Air Basin Strategy* (Chapter 10 of the comprehensive revisions to the State of California Implementation Plan for the Attainment and Maintenance of Ambient Air Quality Standards) submitted on September 12, 1979 by the Governor's designee.

(58) Revised regulations for the following APCDs submitted on December 17, 1979 by the Governor's designee.

(i) Monterey Bay Unified APCD.

(A) Rules 418, 425 and 426.

(B) New or amended Rules 300, 405, and 601.

(ii) South Coast AQMD.

(A) New or amended Rules 1107, 1108, 1108.1 and 1128.

(B) New or amended Rules 404, 442, 501.1, 502, 504.1(b), (c), and (d), and 1124.

(iii) Great Basin Unified APCD.

(A) New or amended Rules 205, 210, 300A, and G, 403, 408, 419, and 617.

(B) New or amended Rules 203, 209-A and B, 212, and 213.

(iv) Ventura County APCD.

(A) New or amended Rule 74.3.

(v) Butte County APCD.

(A) New or amended Rules 2.12a, 2.12b, 2.12c, and 2.12d.

(vi) Shasta County APCD.

(A) New or amended Rules 1.2, 3.14, and 3.15.

(vii) Yolo—Solano APCD.

(A) Amended Rules 2.8 and 6.6.

(viii) San Luis Obispo County APCD.

(A) New or amended Rule 407.

(ix) Modoc County APCD.

(A) New or amended Rule 2:8-e.

(59) Revised regulations for the following APCD submitted on March 4, 1980 by the Governor's designee.

(i) Monterey Bay Unified APCD.

(A) Rules 207 (except B.4.) and 208.

(B) New or amended Rules 205, 211, 212, 213, and 214.

(60) Chapter 4, *California Air Quality Control Strategies*, of the California SIP, submitted on May 23, 1979, by the Governor's designee.

(61) Redesignation of AQCR's in California, submitted on September 11, 1978, by the Governor's designee.

(62) The *San Diego Air Basin Co*
trol Strategy (Chapter 14 of the Co
prehensive Revisions to the State
California Implementation Plan f
the Attainment and Maintenance
Ambient Air Quality Standards) su
mitted on July 5, 1979, by the Gove
nor's designee, except the inspectio
maintenance portion. Additional doc
ments were also submitted as append
ces. Those portions of the *San Die*
Air Basin Control Strategy, includi
Appendices, identified by Table 14-
"Location of Plan Elements Whic
Meet Clean Air Act Requirement
(pages 6–7), comprise the submitt
nonattainment area plan, except t
inspection/maintenance portion. Th
remaining portions are for inform
tional purposes only.

(63) The following portions of t
California Environmental Quality A
submitted on October 20, 1980, by t
Governor's designee: Sections 2100
21001; 21002; 21002.1; 21061; 210
21065; 21080.1; 21080.4; 21080.5 (a), (b
(c) and (d); 21081; 21082; 21100; 211
21151; 21153; 21160.

(64) Revised regulations for the fo
lowing APCD submitted on Februa
13, 1980, by the Governor's designee.

(i) San Diego County APCD.

(A) Rules 20.1, 20.2, 20.3, 20.4, 20
and 20.6.

(65) The following amendments t
the plan were submitted on July 2
1979, by the Governor's designee.

(i) The *South Coast Air Basin Con*
trol Strategy (Chapter 18 of the Com
prehensive Revision to the State o
California Implementation Plan fo
the Attainment and Maintenance o
Ambient Air Quality Standards
Those portions of the *South Coast Ai*
Basin Control Strategy identified b
Table 18-1, "Location of Plan El
ments Which Meet Clean Air Act Re
quirements," together with Rules 111
and 1126, comprise the submitted non
attainment area plan control strateg
The remaining portions are for informational purposes only.

(ii) New or amended Rules 218, 431
431.1–431.3, 1120, 1206–1208, 121
1213, 1215, 1216, 1218, 1219, 1222, an
1225–1230.

(66) Revised regulations for the following APCD's, submitted on Febru-

, 1980, by the Governor's desig-

South Coast AQMD.

New or amended Rule 461.

Amended Rule 466.

Bay Area AQMD.

Regulation 8: Rule 1, 2 (except
raph 301), 4, 7, 8, 9, 10, 11, 13, 14,
18 and 19.

Revised regulations for the fol-
APCD's, submitted on April 2,
by the Governor's designee.

South Coast AQMD.

New or amended Rule 1122.

New or amended Rules 107,
, 1111, 1121 and 1140.

Bay Area AQMD.

New or amended Regulation 9,
9-4-100, 9-4-101, 9-4-200 to 9-4-
4-300, 9-4-301, 9-4-303, and 9-4-
9-4-404.

Kern County APCD.

New or amended Rules 412.1(b)-

New Rule 411.1.

Sacramento County APCD.

New or amended Rules 7, 24, 25,
, and 53.

New or amended Rules 120, 121,
122.

Revised regulations for the
h Coast AQMD, submitted on
3, 1980, by the Governor's desig-

New or amended Rules 1301, 1303,
, 1305, 1306, 1307, 1310, 1311, and

Revised regulations for the
h Coast AQMD submitted on
23, 1980, by the Governor's des-

New or amended Rules 464, 465,
, and 1125.

New or amended Rules 301, 405,
(c)(5), 701, 702 (a), (d), (e), (f), (h)
(i), 703-706, 708.3(a), (b)(8)-
(10), 708.4(g) and (h), 709(a), 710(a)
(b)(4), 711(a)(1), (a)(4), (b)(1) and
(4), and 713-715.

) New Rule 1103.

) California Health and Safety
, Sections 41950 to 41962, 94000 to
; and Stationary Source Test
hods—Volume 2: Certification and
Procedures for Gasoline Vapor
overy Systems submitted on April
1980.

(70) Revised regulations for the following APCD's submitted on August 15, 1980, by the Governor's designee.

(i) South Coast AQMD.

(A) New or amended Rules 1302 and 1308.

(B) New or amended Rule 1101.

(C) New or amended Rules 702(b), 707, 708, 708.3 (a)(2) and (c), 708.4 (a) and (b), 709(e), 710 (b)(1)(D), (b)(2)(D), (b)(3)(B), and (c)(3)(B), 711 (a)(1)(E), (a)(2)(D), (a)(3)(B), (a)(4)(F), (b)(3)(B), and (b)(4)(f), and 1102.

(D) Amended Rule 401 (except subparagraph 401(b)).

(ii) San Diego County APCD.

(A) New or amended Rules 2 (z) and (aa), 40, and 10 (f) and (i).

(iii) Shasta County APCD.

(A) Amended Rule 3.3.

(iv) El Dorado County APCD (Mountain Counties and Lake Tahoe Air Basin).

(A) New or amended Rules 601-613.

(71) The *San Joaquin Valley Air Basin Control Strategy* (Chapter 16 of the Comprehensive Revisions to the State of California Implementation Plan for the Attainment and Maintenance of Ambient Air Quality Standards) submitted on October 11, 1979, by the Governor's designee. Those portions of the *San Joaquin Valley Air Basin Control Strategy* identified by Tables 16-1a, 1b and 1c (Summary of Plan Compliance with Clean Air Act Requirements) except which pertain to Fresno County and the six transportation control measures for Stanislaus County, comprise the submitted plan. The remaining portions are for informational purposes only. The following rules were also submitted on October 11, 1979 as part of the enforceable plan:

EDITORIAL NOTE: At 47 FR 28620, July 1, 1982, the following introductory text to paragraph (c)(71) was added to § 52.220. This paragraph will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(71) The *San Joaquin Valley Air Basin Control Strategy* (Chapter 16 of the Comprehensive Revisions to the State of California Implementation Plan for the Attainment and Maintenance of Ambient Air Quality Stand-

ards) submitted on October 11, 1979, by the Governor's designee. Those portions of the *San Joaquin Valley Air Basin Control Strategy* identified by Tables 16-1a, 1b and 1c (Summary of Plan Compliance with the Clean Air Act Requirements) comprise the submitted plan. The remaining portions are for informational purposes only.

(i) Kings County APCD.

(A) New or amended Rules 411 and 413.3.

(ii) Madera County APCD.

(A) New or amended Rule 210.1 (except paragraphs (3)(D) and (5)(B)(8)).

(iii) Merced County APCD.

(A) New or amended Rules 409.3 and 410.

(iv) Tulare County APCD.

(A) New or amended Rule 410.3.

(72) The San Francisco Bay Area Basin Control Strategy (Chapter 15 of the Comprehensive Revisions to the State of California Implementation Plan for the Attainment and Maintenance of Ambient Air Quality Standards) including appendices, submitted on July 25, 1979, by the Governor's designee.

(73) Revised regulations for the following APCD's submitted on January 14, 1980, by the Governor's designee.

(i) Bay Area AQMD.

(A) Regulation 2: Rule 1: 2-1-200, 2-1-300, 2-1-307, and 2-1-400, Rule 2: 2-2-100, 2-2-200, 2-2-209, 2-2-210, 2-2-300, and 2-2-400; Rule 3: 2-3-100, 2-3-101, 2-3-200, 2-3-201, 2-3-300, 2-3-301, 2-3-302, 2-3-401, 2-3-401.1 to 2-3-401.3, 2-3-402, 2-3-403, 2-3-404, and 2-3-405.

(B) New or amended Regulation 2, Rule 1: 2-1-100 to 2-1-102, 2-1-111, 2-1-112, and 2-1-408.

(74) Revised regulations for the following APCD's submitted on December 24, 1979, by the Governor's designee.

(i) Imperial County APCD.

(A) New or amended Rules 111, 413, 414, 416, 416 (deletion), and 517.

(ii) Santa Barbara County.

(A) Rule 316.

(iii) Ventura County APCD.

(A) New Rule 70 (except paragraph E).

(75) Revised regulations for the Kern County APCD, submitted on
January 8, 1980, by the Gover
designee.

(i) Rules 210.2, 410.3, 411, 414,
and 414.3.

(ii) New or amended Rule 424(F

(76) Revised regulations for th
lowing APCD's, submitted on Apr
1980, by the Governor's designee.

(i) Kern County APCD.

(A) Amended Rule 210.1

(77) The following amendmen
the plan were submitted on Oc
18, 1979, by the Governor.

(i) San Luis Obispo County APC

(A) New or amended Rules 415,
420, and 422.

(ii) The South Central Coast
Basin Control Strategy [Chapter
the Comprehensive Revision to
State of California Implement
Plan for the Attainment and Ma
nance of Ambient Air Quality St
ards]. Those portions of the S
Central Coast Air Basin Control S
egy identified by Tables 17-1 and
"Location of Plan Elements W
Meet Clean Air Act Requirements
gether with the rules identified b
comprise the submitted nonat
ment area plan. The remaining
tions are for informational purp
only.

(A) Santa Barbara County A
Rules 320, 321, 323, 327, 329 to
201.C and 205.C. (except subparag
5.b.8.).

(B) Ventura County APCD Rule
(except 26.2, 26.3 and 26.4), 74.4,
and 74.8.

(78) Revised regulations for the
lowing APCD submitted on Nove
19, 1979, by the Governor's designe

(i) South Coast AQMD.

(A) Deletion of Rules 67 and 72.

(ii) California Lead SIP.

(79) Revised regulations for the
lowing APCD's submitted on Jun
1930, by the Governor's designee.

(i) Monterey Bay Unified APCD.

(A) Rule 427.

(ii) Bay Area AQMD.

(A) New or amended Regulatio
Rules 1-100 to 1-111, 1-114, 1-200 t
205, 1-207 to 217, 1-219 to 1-232, 1-
to 1-402, 1-410 to 1-412, 1-420, 1-
to 1-434, 1-440, 1-441, 1-500 to 1-
1-510, 1-521, 1-530, 1-540, 1-541, 1-
1-544; Regulation 5, Rules 5-100,
101, 5-110, 5-111, 5-200 to 5-207, 5-

301, 5-400 to 5-404; Regulation 6, ules 6-100, 6-101, 6-200 to 6-204, 6- 0 to 6-304, 6-310, 6-312, 6-320, 6-330, 400, 6-401, 6-500 to 6-502; Regula- n 11, Rules 11-1-100 to 11-1-102, -1-300 to 11-1-303; Regulation 12, ules 12-2-100, 12-2-101, 12-2-200, 12- 201, 12-2-300, 12-2-301, 12-2-500, 12- 501, 12-3-100, 12-3-101, 12-3-300, 12- 301, 12-3-500, 12-3-501-12-4-100 to 4-102, 12-4-200 to 12-4-212, and 12- 300 to 12-4-307.

(B) New or amended Regulation 1: 1- 6, 1-520, 1-542, and 1-600 to 1-604; gulation 6: 6-305, 6-311, 6-600, and 601; and Regulation 11: 11-1-500, 11- 501, and 11-1-600 to 11-1-603.

(iii) Ventura County APCD.

(A) New or amended Rule 2.

(B) New or amended Rule 59.

(iv) South Coast AQMD.

(A) Deletion of Rule 471.

(B) New Rule 466.1.

(v) San Diego County APCD.

(A) New or amended Rules 1, 2 (a),), (t), (v), (u), (x), and (y), 14, 17, .0, and 67.1.

(vi) Shasta County APCD.

(A) New Rule 3.17.

(80) The following amendments to e plan were submitted on August 21, 979 by the Governor's designee.

(i) Revised regulations for Placer ounty APCD—Lake Tahoe Air Basin ortion.

(A) New or amended Rules 101-104, 01-204, 206-211, 215, 217, 301-308, nd 310-319.

(B) New Rule 507.

EDITORIAL NOTE: At 47 FR 27068, June 23, 82, the following paragraph (c)(80)(i)(B) s added to § 52.220, and will be correctly signated by an EPA document published the FEDERAL REGISTER at a later date.

(B) New or amended Rules 212, 213, 08 (except Paragraph (1)(C)(3)(h), nd 514.

(C) New or amended Rules 502-506 nd 511-513.

(ii) Chapter 8, Lake Tahoe Basin ontrol Strategy, including Support ocuments and Appendices. The ransportation Improvement Program nd Regional Transportation Plan are r informational purposes only.

(81) Revised regulations for the fol- wing APCD, submitted on February 1, 1980 by the Governor's designee.

(i) El Dorado County APCD—Lake Tahoe Air Basin Portion.

(A) New or amended Rules 507, 511-515, and 519-528.

(B) New or amended Rules 501 to 506, 508 to 510, and 516 to 518.

(82) [Reserved]

(i) Ventura County APCD.

(A) New or amended Rule 74.6.

(83)(i)(A) [Reserved]

(B) New Rules 22, 23, and 27.

(C) New or amended Regulation 8: Rule 21.

(ii) Kings County APCD.

(A) New or amended Rule 414.

(iii) [Reserved]

(A) Rule 410.

(B) New or amended Rules 411.1 and 416.1.

(84) Revised regulations for the following APCDs submitted on October 10, 1980, by the Governor's designee.

(i) Madera County APCD.

(A) New or amended Rule 410.4.

(ii) Merced County APCD.

(A) New or amended Rule 409.4.

(iii) Kings County APCD.

(A) New or amended Rule 410.4.

(iv) San Joaquin County APCD.

(A) New or amended Rule 409.4.

(v) Stanislaus County APCD.

(A) New or amended Rule 409.4.

(vi) Tulare County APCD.

(A) New or amended Rule 410.4.

(vii) Modoc County APCD.

(A) Amended Rule 3:12.

(85) Revised regulations for the following APCDs submitted on December 15, 1980, by the Governor's designee.

(i) Tulare County APCD.

(A) New or amended Rule 412.

(B) New or amended Rule 412.1.

(C) New or amended Rules 201 and 417.1.

(ii) Madera County APCD.

(A) New or amended Rule 412.1

(B) New or amended Rules 201, 202, 301, and 417.1.

(iii) Sacramento County APCD.

(A) New or amended Rule 13.

(iv) San Diego County APCD.

(A) New or amended Rules 61.0, 61.0 (n) and (o), 61.1, 61.1(a)(1) (i) and (h), 61.2, 61.2(a), 61.3 and 61.4

(v) San Bernardino County APCD, Southeast Desert Air Basin portion.

(A) New or amended Rules 461 and 462.

(vi) Tehama County APCD.

(A) New or amended Rules 1.2, 1.3, 2.7, 2.8, 2.9, 3.1, 3.2, 3.3-3.14, 4.1, 4.2, 4.6, and 4.7.

(B) Previously approved and now deleted Rule 2.8 (Further Information).

(vii) Santa Barbara County APCD.

(A) New or amended Rule 210.

(viii) South Coast AQMD.

(A) New Rule 1130.

(ix) Kings County APCD.

(A) New or amended Rule 417.1.

(x) Kern County APCD.

(A) New or Amended Rules 110 and 417.1.

(86) Revised regulations for the following APCD's submitted on July 10, 1980 by the Governor's designee.

(i) Bay Area AQMD.

(A) Regulation 8: Rule 2 (Paragraph 301).

(B) New Rules 17 (paragraphs 112, 302, 400, and 401) and 26.

(C) New or amended Regulations, Rules 1-206, 1-218, 6-311, 9-1-100, 9-1-101, 9-1-110 9-1-200 to 9-1-204, 9-1-300 to 9-1-308, 9-1-310, 9-1-311, 9-1-400 to 9-1-404, 9-1-500 to 9-1-502, and 9-4-302.

(D) New or amended Rule 1-541 and Regulation 9, Rules 9-1-600 to 9-1-605.

(ii) Butte County APCD.

(A) Amended Rule 4.9.

(87) Revised regulations for the following APCD's submitted on September 5, 1980 by the Governor's designee.

(i) Bay Area AQMD.

(A) Regulation 8: Rule 5, Rule 6, and Rule 12.

(B) New Rules 25 and 28 (except section 401).

(ii) San Diego County APCD.

(A) New or amended Rule 19.

(iii) San Joaquin County APCD.

(A) New or amended Rule 411.2.

(B) New or amended Rules 202 and 416.1.

(iv) San Bernardino County APCD, Southeast Desert Air Basin portion.

(A) New or amended Rules 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1310, 1311, and 1313.

(v) Los Angeles County APCD, Southeast Desert Air Basin portion.

(A) New or amended Rules 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1310, 1311, and 1313.

(vi) Sacramento County APCD.

(A) New or amended Rules 74, 90, 92, 93, 94, 95, 96, 98, and Regulation VII.

(vii) Ventura County APCD.

(A) New or amended Rules 2 and

(viii) Shasta County APCD.

(A) New Rule 2:6.

(88) Revised regulations for the lowing APCDs submitted on July 1980, by the Governor's designee.

(i) Stanislaus County APCD.

(A) New or amended Rule 20 (except paragraphs (3)(E) (5)(B)(8)).

(B) New or amended Rules 103 305.

(C) New or amended Rules 202 416.1.

(ii) Bay Area AQMD.

(A) New or amended Regulation Rules 3-100 to 3-103, 3-200 to 3-206, 208 to 3-211, 3-300 to 3-311, and 3- to 3-408.

(iii) South Coast AQMD.

(A) New or amended Rule 1119.

(B) Amended Rule 462.

(iv) [Reserved]

(v) Merced County APCD.

(A) New or amended Rule 411.1.

(B) New or amended Rules 202 416.1.

(89) Revised regulations for the lowing APCDs submitted on March 1981, by the Governor's designee.

(i) Kings County APCD.

(A) New or amended Rule 411.

(ii) Yolo-Solano County APCD.

(A) New or amended Rule 2.13(h)

(iii) Yuba County APCD.

(A) Amended Rules 3.8, 3.12, 3.15.

(iv) Imperial County APCD.

(A) New Rule 418.1.

(v) Monterey Bay Unified APCD.

(A) New Rule 425.

(vi) Lake County APCD.

(A) New or amended Sections 227.4, 301, 1602, and Table VI.

(vii) South Coast AQMD.

(A) Amended Rule 1102.1.

(90) The following amendments the plan were submitted on Decem 31, 1979, by the Governor's designe

(i) Chapter 22—Air Quality Moni ing by State and Local Air Monitor Stations (SLAMS).

(91) The following amendments the plan were submitted on Novem 13, 1979, by the Governor's designe

(i) The Sacramento Valley Air B Control Strategy (Chapter 13 of Comprehensive Revisions to the St alifornia Implementation Plan for Attainment and Maintenance of bient Air Quality Standards): those tions pertaining to the Sacramento ropolitan Area including the following rules:

A) Placer County APCD (Mountain nties Air Basin portion) Rules 212, and 218.

B) Sacramento County APCD Rules 1, 12, 16, 19, and 56 (except paraph (5)(a)(8)).

C) Yolo-Solano County APCD es 2.14 and 3.4 [except paragraph a)(8)].

i) The Sacramento Valley Air in Control Strategy [Chapter 13 of Comprehensive Revisions to the te of California Implementation n for the Attainment and Maintece of Ambient Air Quality Standl: those portions pertaining to tte, Yuba, and Sutter Counties, inding the following rules:

A) Butte County APCD Rules 2.12f d 4-5.

2) Revised regulations for the folng APCDs submitted on May 28, 1, by the Governor's designee.

) Stanislaus County APCD.

A) New or amended Rule 409.5.

i) Placer County (Mountain Couns Air Basin portion).

A) New or amended Rules 213, 216, d 223.

B) New or amended Rules 102, 203, 1, 301, 305, 306, 324, 325, 601, and 2.

(C) Rule 214.

ii) Lake County APCD.

(A) New Rule 216.1.

(iv) Great Basin Unified APCD.

(A) New or amended Rules 101, 300, 4-A, 423, and 424.

(v) San Diego County APCD.

(A) New or amended Rules 127, 130, 1, 132, and 134.

(B) New or amended Rule 21.

(vi) South Coast AQMD.

(A) New or amended Rule 1113.

3) Revised regulations for the folng APCDs submitted on June 22, 1, by the Governor's designee.

(i) Stanislaus County APCD.

(A) New or amended Rule 409.3.

(B) New or amended Rule 409.8.

(ii)(A) [Reserved]

(B) New Rule 28, Section 401.

(C) New or amended Regulation 5, Rule 5-401.3.

(iii) Plumas County APCD.

(A) New or amended Rules 203, 301-319, 512-516, 703, and 710.

(B) New or amended Rules 501-511 and 517-521.

(iv) Sierra County APCD.

(A) New or amended Rules 203, 301-319, 512-516, 522, 523, 703, and 710.

(B) New or amended Rules 501-511 and 517-521.

(v) Kern County APCD.

(A) New or amended Rule 410.6.

(vi) El Dorado County APCD (Mountain Counties Air Basin Portion).

(A) Rules 318, 319, and 320.

(94) Revised regulations for the following APCD's submitted on October 7, 1980, by the Governor's designee.

(i) Stanislaus County APCD.

(A) New or amended Rule 411.1.

(ii) [Reserved]

(iii) San Bernardino County APCD.

(A) New or amended Rules 701, 704, 705, 707-711, and 712. Previously approved Rule 707, "Plans", submitted on June 6, 1977 is retained.

(95) Revised regulations for the following APCD's submitted on March 23, 1981, by the Governor's designee.

(i) Kern County APCD.

(A) New or amended Rule 412.1(a).

(B) Amended Rule 412.1.

(C) New or amended Rules 202, 202.1, and 426.

(ii) Ventura County APCD.

(A) Amended Rule 26.2.

(B) New or amended Rules 21, 29, 30, and 64.

(iii) Northern Sonoma County APCD.

(A) Amended Regulation 2, Rules 100, 120, 140, 200, 220, 240, 300, and 320.

(iv) South Coast AQMD.

(A) Amended Rule 461.

(v) Stanislaus County APCD.

(A) New Rule 409.7.

(B) New or amended Rule 301.

(vi) Humboldt County APCD.

(A) New or amended Rules 130, 200, 210, 220, 230, 240, 250, and 260.

(96) Revised regulations for the following APCDs submitted on November 3, 1980, by the Governor's designee.

(i) South Coast AQMD.

(A) New or amended Rule 1113.

(ii) Butte County APCD.

(A) New or amended Rules 1-8, 1-8.1, 1-10, 1-13, 1-14, 3-1, 3-2, 3-6, 3-11, 3-11.2, 3-11.3, 3-12, 3-12.1, 3-12.2, 3-14, 3-15, 3-16, and 3-16.1.

(iii) Glenn County APCD.

(A) New or amended Rules 2 (a,i,v, and aa), 3, 11, 11.1, 11.2, 13, 13.1, 14, 14.1, 14.2, 14.3, 15, 16, 19, 21, 21.1, 22, 75, 81, 83, 83.1, 83.2, 96, 110, and 112.

(iv) Yolo-Solano APCD.

(A) New or amended Rules 1.2 (a and g), 6.1 and 6.3.

(v) Bay Area AQMD.

(A) New Rule 20.

(97) Revised regulations for the following APCDs submitted on June 24, 1980, by the Governor's designee.

(i) Sacramento County APCD.

(A) New or amended Rule 18.

(98) Revised regulations for the following APCDs, submitted on January 28, 1981, by the Governor's designee.

(i) Sutter County APCD.

(A) Amended Rules 3.8, 3.14, and 3.15.

(B) New or amended Rules 1.0-1.3, 2.1-2.12, 2.15, 2.16, 3.0-3.7, 3.9, 3.10, 3.12, 3.13, 4.0-4.5, 4.7-4.10, 4.12-4.15, 5.0-5.19, 6.0-6.7, 7.0, 7.1, 7.2, 8.0, 8.1, 8.2, 9.0-9.7, and 9.8.

(C) Previously approved and now deleted Rules 2.1 (Control of Emissions), 2.7 (Wet Plumes), 2.15 (Fuel Burning Equipment), 2.20 (Payment of Order Charging Costs), 3.7 (Information), 4.5 (Standards for Granting Applications), 4.6 (Permits, Daily Limits), and 4.8 (Permit Forms).

(ii) Siskiyou County APCD.

(A) New or amended agricultural burning regulations consisting of "General Provisions" and Articles I-VII.

(iii) Mendocino County APCD.

(A) Amended Regulation 2, Rules 100, 120, 140, 200, 220, 240, 300, 320, Appendices A, B, and C.

(iv) Del Norte County APCD.

(A) Amended Regulation 2, Rules 100, 120, 140, 200, 220, 240, 300, 320, Appendices A, B, and C.

(v) Humboldt County APCD.

(A) Amended Regulation 2, Rules 100, 120, 140, 200, 220, 240, 300, 320, Appendices A, B, and C.

(vi) Trinity County APCD.

(A) Amended Regulation 2, Rules 100, 120, 140, 200, 220, 240, 300, 320, Appendices A, B, and C.

(vii) El Dorado County APCD.

(A) New Rule 313.

(B) Rules 313, 314, 315, 316, and

(viii) Ventura County APCD.

(A) New Rule 71.2.

(ix) Bay Area AQMD.

(A) New or amended Rules 1-112, 113, 1-115 and Regulation 9, Rule 202.

(x) South Coast AQMD.

(A) New or amended Rule 1115.

(xi) San Diego County APCD.

(99) Commitments by the Bay Ar AQMD, Fresno County APCD, Ke County APCD, Monterey Bay Unifi APCD, Sacramento County APC San Diego County APCD, Santa B bara County APCD, South Co AQMD, and Ventura County APCD carry out public notification progra as required by section 127 of the Cle Air Act and in accordance with E guidance. These commitments w submitted by the Air Resources Bo on January 22, 1981.

(100) Revised regulations for the lowing APCDs submitted on Octo 25, 1979, by the Governor's designee

(i) San Diego County APCD.

(A) New or amended Rules 67.3 67.5.

(101) Revised regulations for the lowing APCD's submitted on July 1981 by the Governor's designee.

(i) Bay Area AQMD.

(A) Regulation 8, Rule 1 (Paragra 202) and Rule 16 (paragraph 110).

(B) New or amended Regulation Rule 2-2-114; Regulation 5, Rule 401.13; and Manual of Procedure Volume I to Volume VI.

(C) New or amended Regulation Rule 24.

(ii) Kern County APCD.

(A) New or amended Rules 603, 610, 611, and 613.

(B) New or amended Rules 108, 301, 302, and 305.

(C) New or amended Rules 414 410.3.

(D) New or amended Rules 41 412, and 414.4.

(102) Revised rules for the follow APCDs submitted on July 14, 1981 the Governor's designee.

(i) San Joaquin County.

(A) New Rules 409.5 and 409.6.

(ii) Stanislaus County.

(A) New Rule 409.6.

B) New or amended Rules 409.7 and .8.

ii) Merced County APCD.

A) New or amended Rules 409.6.

iv) South Coast AQMD.

A) New or amended Rule 301.

103) Revised rules for the following CDs, submitted on October 23, 1981 the Governor's designee.

i) Kings County.

A) Amended Rule 412.2.

ii) San Diego County APCD.

A) New or amended Rule 67.4 and 5.

B) New or amended Rules 42, 64, -103, and 109.

C) New Rule 67.8.

iii) Santa Barbara County APCD.

A) Rule 325.

B) New or amended Rules 601–608 d 609.

C) Previously approved and now deed Rules 609 (Scientific Committee) d 610 (Emergency Action Commit-).

iv) Ventura County APCD.

A) Amended Rule 70(E).

B) New or amended Rules 2, 12, 16, 41, 42, and 74.2.

C) New Rule 74.5.

D) Amended Rule 74.9.

v) Sacramento County APCD.

A) Amended Rule 20.

B) New or amended Rules 50, 70, d 14.

C) New Rules 4A, 4B, 10 and 51.

vi) Del Norte County APCD.

A) Amended Rules 300 and 310.

vii) Humboldt County APCD.

A) Amended Rules 300 and 310.

viii) Mendocino County APCD.

A) Amended Rules 300 and 310.

ix) Northern Sonoma County PCD.

A) Amended Rules 300 and 310.

x) Trinity County APCD.

A) Amended Rules 300 and 310.

xi) Great Basin Unified APCD.

A) Amended Rule 301.

xii) San Luis Obispo County APCD.

A) New or amended Rules 301, 302, d 411.

xiii) El Dorado County APCD ountain Counties Air Basin).

A) New or amended Rules 301–319, 1, 703, and 710.

xiv) Imperial County APCD.

A) New or amended Rules 101, 301, 2, 305–307.

(xv) Shasta County APCD.

(A) Amended Rule 2:11.

(xvi) Monterey Bay Unified APCD.

(A) Amended Rules 301, 601, and 602.

(xvii) Tuolumne County APCD.

(A) New or amended Rules 203, 301-319, 501-521, 703, and 710.

(xviii) South Coast AQMD.

(A) New or amended Rules 504.1, 218, 219, 220, 409, and 502.

(104) Revised regulations for the following APCD's submitted on November 5, 1981 by the Governor's designee.

(i) Bay Area AQMD.

(A) Regulation 2, Rule 1: 2-1-101, 2-1-102, 2-1-111, 2-1-112, 2-1-201 to 2-1-205, 2-1-301 to 2-1-306, 2-1-401 to 2-1-410, and 2-1-420 to 2-1-423; Rule 2: 2-2-101 to 2-2-114, 2-2-201 to 2-2-208, 2-2-301 to 2-2-306, 2-2-310, and 2-2-401 to 2-2-410.

(ii) South Coast AQMD.

(A) New or amended Rule 444.

(iii) Fresno County APCD.

(A) New or amended Rule 409.6.

(105) Schedule to study Nontraditional Total Suspended Particulate Sources and commitment to implement control measures necessary to provide for attainment, submitted on November 18, 1981 by the Governor's designee.

(106) The *Southeast Desert Air Basin Control Strategy* for ozone (Chapter 19 of the Comprehensive Revisions to the State of California Implementation Plan for the Attainment and Maintenance of the Ambient Air Quality Standards) was submitted by the Governor's designee on February 15, 1980. The portions of the *Southeast Desert Air Basin Control Strategy* identified in Table 19-1 (Summary of Plan Compliance with Clean Air Act Requirements), except those which pertain to Imperial County, comprise the plan. The remaining portions are for informational purposes only.

(107) On August 11, 1980, the Governor's designee submitted a revision to the State Implementation Plan which adds the Southeast Desert Air Basin portion of Riverside County into the South Coast Air Quality Management District.

(108) On November 28, 1980, the Governor's designee submitted a revision to the State Implementation Plan

which deletes Rule 67, for the San Bernardino County APCD as applied to new sources.

(109) Three items submitted for Fresno County and the Sacramento Metropolitan Area by the Governor's designee on October 9, 1980:

(i) *Air Quality Planning Addendum-Council of Fresno County Governments 1979-84 Overall Work Program.*

(ii) *Emission Inventory, 1976* for the Sacramento Metropolitan Area.

(iii) *Air Quality Plan Technical Appendix, January 1979* for the Sacramento Metropolitan Area.

(110) Five items submitted for Ventura County by the Governor's designee on April 1, 1980:

(i) *Appendix B-81, Empirical Kinetic Modeling Approach*: Ozone Formation, Transport, and Concentration Relationships in Ventura County; Update of Emission Reduction Required for Attainment of Ozone NAAQS.

(ii) *Letter*: Jan Bush to Mike Redemer, January 23, 1981.

(iii) *Letter and enclosures*: Janet Lyders to Mike Scheible, February 6, 1981.

(iv) *Letter and enclosures*: Jan Bush to William Lockett, December 15, 1980.

(v) *Letter and enclosures*: Jan Bush to William Lockett, October 23, 1980.

(111) Four items submitted for Ventura County by the Governor's designee on July 16, 1981:

(i) Attachment V—Transportation Control Measures.

(ii) Ventura Air Quality Management Plan, Appendix O, *Plan for Attainment of Standards for Total Suspended Particulates In Ventura County: Interim Report*, July, 1980.

(iii) Attachment IV—Population Forecasts.

(iv) Attachment VI—Implementation of Emission Reductions Required for Attainment of TSP Standards.

(112) Plan for Attainment of the Federal Secondary Total Suspended Particulate Standard in Santa Clara County, an addendum to the San Francisco Bay Area Air Basin Control Strategy (Chapter 15) submitted on March 16, 1981, by the Governor's designee.

(113) Supplemental material for the San Diego Nonattainment Area Plan
submitted on July 13, 1981, by th
Governor's designee.

(114) Supplemental material for th
San Diego Nonattainment Area Pl
submitted on August 31, 1981, by th
Governor's designee.

(115) Supplemental material for th
San Diego Nonattainment Area Pl
submitted on December 8, 1981, by th
Governor's designee.

(116) Supplemental material for th
South Coast Nonattainment Area Pl
submitted on July 24, 1981, by th
Governor's designee.

(117) Supplemental material for th
South Coast Nonattainment Area Pl
submitted on December 24, 1981,
the Governor's designee.

(118) Supplemental material for th
South Coast Nonattainment Area Pl
submitted on February 18, 1982,
the Governor's designee.

(119) Revised regulations for the f
lowing APCDs submitted on April
1980, by the Governor's designee.

(i) El Dorado County APCD (Mou
tain Counties Air Basin).

(A) New or amended Rules 502-520

(B) Rule 102.

(ii) Mendocino County APCD.

(A) New or amended Rules 130, 2
210, 220, 230, 240, 250, and 260.

(120) *The Mountain Counties*
Basin Control Strategy for ozo
(Chapter 9 of the "Comprehensive
visions to the State of California
plementation Plan for the Attainme
and Maintenance of the Ambient
Quality Standards" was submitted
the Governor's designee on April
1981. The submittal also included
vised regulations for the followi
APCD's.

(i) El Dorado County APCD (Mou
tain Counties Air Basin portion).

(A) Rules 401, 402, 403, 404, 405, 4
407, 410, 411, 415, 416, 418, 419, 4
421, 422, 423, 424, and 425.

(121) Revised regulations for the f
lowing APCDs submitted on March
1982 by the Governor's designee.

(i) South Coast AQMD.

(A) New or amended Rule 474.

(B) Amended Rules 107, 1107, 110
1125 and 1126.

(C) Amended Rule 1110.

(ii) San Diego County APCD.

(A) New or amended Rules 62 a
53.

(B) Amended Rule 67.6(e).

(iii) Lake County APCD.

(A) New or amended Rule 655.

(iv) Bay Area AQMD.

(A) Amended Regulation 8, Rules 2-
2 and 5-313.4.

(v) Ventura County APCD.

(A) Amended Rule 74.6.

(122) [Reserved]

(123) Supplemental material for the ern County Nonattainment Area an submitted on March 4, 1982, by e Governor's designee.

(124) Revised regulations for the folwing APCDs submitted on August 6, 82, by the Governor's designee.

(i) Bay Area AQMD.

(A) New or amended Regulation 1: ules 1-100, 1-112, 1-205, 1-233, 1-234, -235, 1-520, 1-522, 1-530, 1-540, 1-543, -544, and 1-602; Regulations 4: Rule -303; Regulation 5: Rules 5-208 and -402; and deletion of Regulation 6: ule 6-132.

(B) [Reserved]

(C) Amended Regulation 8, Rules 2, 5, 8 and 10.

(D) New or amended Regulation 2: ules 2-1-207, 2-1-208, 2-1-301, 2-1-04, and 2-1-307.

(E) Amended Regulation 8, Rule 23.

(ii) Lake County APCD.

(A) New or amended Rules 630, 631, 60.1, 660.2, and 660.3.

(iii) San Joaquin County APCD.

(A) New or amended Rules 203, 415, 03, and 521.

(iv) South Coast AQMD.

(A) New or amended Rule 407.

(B) Amended Rule 1107.

(C) [Reserved]

(v) Stanislaus County APCD.

(A) New or amended Rules 203 and 03.

(B) New or amended Rules 409.4 and 09.8.

(vi) Del Norte County APCD.

(A) New or amended Rules 616, 618, nd 620.

(B) New or amended Rule 230, dopted December 14, 1981.

(vii) Humboldt County APCD.

(A) New or amended Rules 616, 618, nd 620.

(B) New or amended Rule 230, dopted December 8, 1981.

(viii) Mendocino County APCD.

(A) New or amended Rules 610, 616, 18, and 620.

(B) New or amended Rules 130 (introductory text, b1, m1, p5, and s2), and 230, adopted January 5, 1982.

(ix) Northern Sonoma County APCD.

(A) New or amended Rules 616, 618, and 620.

(B) New or amended Rules 130 (introductory text, b1, n1, p5, and s2), 220(c), 230, and 260, adopted February 23, 1982 and rule 200, adopted June 15, 1982.

(x) Trinity County APCD.

(A) New or amended Rules 616, 618, and 620.

(B) New or amended Rule 230, adopted December 7, 1981.

(xi) Kern County APCD.

(A) New or amended Rule 411.

(xii) Butte County APCD.

(A) New or amended Rules 4-6 and 4-6A.

(125) Revised Regulations for the following APCDs submitted on May 20, 1982 by the Governor's designee.

(i) San Diego County APCD.

(A) New or amended Rule 40.

(ii) South Coast AQMD.

(A) New or amended Rule 431.1.

(B) New or amended Rules 303 and 304.

(C) [Reserved]

(D) Amended Rules 442, 467 and 1128.

(iii) Monterey Bay Unified APCD.

(A) New or amended Rule 422.

(B) New Rule 428.

(iv) Shasta County APCD.

(A) New or amended Rules 2:6, 2:7, 2:8, 2:9, 2:11 and 4:4.

(v) Tulare County APCD.

(A) New or amended Rules 104 and 405.

(B) Amended Rule 410.1.

(vi) Yolo-Solano APCD.

(A) New or amended Rules 4.1 and 4.2.

(vii) Yuba County APCD.

(A) New or amended Rule 9.6.

(viii) Bay Area AQMD.

(A) Manual of Procedures: Volumes I, V and VI.

(B) Amended Regulation 8, Rules 7, 14, 18 and 19.

(ix) San Joaquin County APCD.

(A) Amended Rule 412.

(126) Revised regulations for the following APCDs submitted on November 8, 1982 by the Governor's designee.

(i) Sacramento County APCD.

(A) New or amended Rules 59 and 70.

(B) Amended Rules 16 and 19.

(ii) Santa Barbara County APCD.

(A) New or amended Rule 210D.

(iii) Stanislaus County APCD.

(A) New or amended Rules 110, 202, and 302.

(B) Amended Rules 409.8, 411 and 411.1(G).

(iv) South Coast AQMD.

(A) New or amended Rules 708.3 and 1105.

(v) Tulare County APCD.

(A) New or amended Rule 519.

(B) Amended Rules 410.3 and 410.4.

(vi) Yolo-Solano County APCD.

(A) New or amended Rule 6.1.

(B) Amended Rule 2.22.

(127)(i)(A) [Reserved]

(B) Amended Regulation 3: Rules 3-102, 3-302, 3-302.1, 3-303, and Schedule A.

(C) Amended Rules 13 and 29.

(D) New or amended Regulation 2: Rules 2-2-113.2, 2-2-115, 2-2-209, 2-2-210, 2-2-211, 2-2-303.2, 2-2-304.1, 2-2-304.2, and 2-2-404; and Regulation 3: Rule 3-312.

(ii) Fresno County APCD.

(A) Amended Rules 406 and 408.

(B) Amended Rule 409.1.

(iii) North Coast Unified AQMD.

(A) New Rule 350.

(iv) Imperial County APCD.

(A) Amended Rule 409.

(B) Amended Rule 424.

(v) Monterey Bay Unified APCD.

(A) New or amended Rule 601.

(B) Amended Rule 301, submitted on February 3, 1983.

(vi) San Luis Obispo County APCD.

(A) Amended Rule 302.

(vii) South Coast AQMD.

(A) New or amended Rules 301.1, 302, 303, and Resolutions 82-23 and 82.35.

(B) New or amended Rules 461, 1102, and 1102.1.

(C) New or amended Rules 301, 304, 401(b) and 1148.

(viii) Ventura County APCD.

(A) New or amended Rule 41.

(B) Amended Rule 74.2.

(128) The 1982 Ozone Air Quality Plan for the Monterey Bay Region was submitted on December 31, 1982 and January 14, 1983 by the Governor's designee.

(129) The 1982 Ozone Air Qu Plan for Stanislaus County and 1982 Ozone and CO plan for San quin County were submitted on cember 1, 1982 by the Governor's ignee.

(130) The 1982 Ozone Air Qu Plan for Santa Barbara County submitted on December 31, 198 the Governor's designee.

(131) [Reserved]

(132) Revised regulations for the lowing APCDs submitted on Jun 1982, by the Governor's designee.

(i) Kern County APCD.

(A) Amended Rule 425.

(133) The enabling legislation, C ter 892, Statutes of 1982, (Senate No. 33) for a California motor ve inspection and maintenance pro and the California Air Resou Board's Executive Order G-12 submitted on September 17, 198 the Governor's designee.

(134) A schedule to implement California motor vehicle inspe and maintenance (I/M) program, California Air Resources Board's E utive Order G-125-33, and local re tions and requests from the Bay Air Quality Management District, ramento County APCD, Placer Co APCD, Yolo-Solano APCD, San D County APCD, South Coast Air Q ity Management District and Ven County APCD to have the State plement the I/M program, subm on July 26, 1983 by the Gover designee.

(135) The 1982 Ozone and CO Quality Plan for the San Fran Bay Air Basin was submitted on ruary 4, 1983 by the Governor's d nee.

(136) The 1982 Ozone and CO Quality Plan for the San Diego Basin was submitted on Februar and August 12, 1983 by the Gover designee.

(137) Revised regulations for the lowing APCDs was submitted on 19, 1983 by the Governor's designe

(i) Kern County APCD.

(A) New or amended Rules 301.1 302.

(B) Amended Rule 410.1

(ii) Merced County APCD.

(A) New or amended Rules 104, 113, 202, 209.1, 301, 305, 407 and 51

Amended Rule 409.1.

New or amended Rules 409.4, 411 and 411.1.

Sacramento County APCD.

New or amended Rule 7.

Amended Rule 17.

San Diego County APCD.

New or amended Rules 10 and

Amended Rules 67.3, 67.4 and

San Luis Obispo County APCD.

New or amended Rule 212.

Shasta County APCD.

New or amended Rules 2.18, 3.4, .15.

Amended Rules 3.3(b), 3.4(d) and c).

South Coast AQMD.

New or amended Rules 502, 1207 eletion of 301.1.

New or amended Rules 301, 301.2 and 431.1.

i) Ventura County APCD.

Amended Rule 41.

Monterey Bay Unified APCD.

Amended Rule 426.

Placer County APCD (Mountain ties Air Basin portion).

Amended Rule 218.

Fresno County APCD.

Amended Rule 409.4.

3) Revised regulations for the folg APCDs was submitted on April 983 by the Governor's designee.

Butte County APCD.

Amended Rules 1-36, 4-2, 4-3, 4-nd 5-3.

El Dorado County APCD.

New or amended Rules 203, 206, 209-212, 221-226, 521, 609-612 and 703.

Amended Rules 214-220.

New Rule 213.

Fresno County APCD.

New or amended Rule 301.

Lake County APCD.

New or amended Rules 900 and

Madera County APCD.

New or amended Rules 103-117, 305, 401-405, 421-425, 501-503, 606, 610 and 611.

Amended Rules 409, 410, and 419.

New or amended Rules 406, 407, 411 and 420.

Monterey Bay Unified APCD.

New or amended Rules 200, p), 501, 503, 506, 507 and 508.

(B) Amended Rule 425.

(vii) Ventura County APCD.

(A) New or amended Rule 59c.

(viii) Kern County APCD.

(A) Amended Rule 414.1.

(ix) Kings County APCD.

(A) Amended Rule 410.1.

(139) Amendments to "Chapter 27—California Lead Control Strategy" was submitted on April 8, 1983 by the Governor's designee.

(140) Revised regulations for the following APCDs were submitted on August 30, 1983 by the Governor's designee.

(i) Bay Area AQMD.

(A) Amended Regulation 3: Rules 3-100 through 3-103, 3-200 through 3-211, 3-300 through 3-313 and 3-400 through 3-409.

(B) New Regulation 8, Rule 30.

(ii) Kern County APCD.

(A) New or amended Rules 405, 408, 409, and 424.

(iii) Stanislaus County APCD.

(A) New or amended Rules 109 and 213.

(B) Amended Rule 409.1.

(iv) Yolo-Solano APCD.

(A) Amended Rule 2.13(1).

(141) The 1982 CO Air Quality Plan for the Lake Tahoe Air Basin was submitted on December 20, 1982 by the Governor's designee.

(142) The 1982 ozone and CO Air Quality Plan for the Sacramento nonattainment area submitted on January 10, 1984 by the Governor's designee, except for the attainment and RFP demonstration portions of the ozone plan.

(143) Revisions to the 1982 ozone and CO Air Quality Plan for the Sacramento nonattainment area submitted on February 10, 1984.

(144) The 1982 Ozone and CO Air Quality Management Plan for the South Coast Air Basin submitted on December 31, 1982 and subsequently amended on February 15, and June 28, 1984 by the Governor's designee, except for:

(i) The attainment and RFP demonstration portions of the plan.

(ii) The emission reduction credit for the New Source Review control measure.

(145) The 1982 Ozone Air Quality Management Plan for Ventura County

submitted on December 31, 1982 by the Governor's designee except for the attainment and RFP demonstration portions of the plan.

(146) The 1982 Ozone and CO Clean Air Plan for the Fresno nonattainment area submitted on December 1, 1982 by the Governor's designee, except for the attainment and RFP demonstration portions of the plans.

(147) [Reserved]

(148) Revised regulations for the following APCDs were submitted on October 27, 1983 by the Governor's designee.

(i) Bay Area AQMD.

(A) New or amended Regulations 6-303.4, 9-1-100, 9-1-101, 9-1-110, 9-1-200 through 9-1-205, 9-1-300 through 9-1-312, 9-1-400 through 9-1-404, 9-1-500 through 9-1-503, 9-1-600 through 9-1-605 and 5-401.13.

(B) Amended Regulation 8, Rules 3, 9, 10, 20, 22, 25 and 28.

(ii) El Dorado County APCD.

(A) New or amended Rules 102, 226, 227, and 228.

(B) New Rules 224 and 225.

(iii) Monterey Bay Unified APCD.

(A) New or amended Rules 407, 410, and 411.

(iv) San Diego County APCD.

(A) New or amended Rule 68.

(B) New Rule 67.9.

(v) Shasta County APCD.

(A) New or amended Rule 2.6.

(vi) South Coast AQMD.

(A) New or amended Rules 1105 and 1111.

(B) New or amended Rules 1113, 1122, 1136, 1141 and 1145.

(vii) Ventura County APCD.

(A) New or amended Rule 30.

(viii) Madera County APCD.

(A) Amended Rule 416.

(149) Revised regulations for the following APCD's submitted on January 20, 1983 by the Governor's designee.

(i) California State.

(A) New or amended California statewide regulations: Test Procedures for Determining the Efficiency of Gasoline Vapor Recovery Systems at Service Stations; Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks; Test Procedure for Gasoline Vapor Leak Detection Using Combustible Gas Detector.

(150) Revised regulations for the
lowing APCD's submitted Augus
1983, by the Governor's designee.

(i) Kings County APCD.

(A) New Rule 414.4.

(ii) Yuba County APCD.

(A) Amended Rule 3.9.

(151) [Reserved]

(152) Amendments to "Chapter
California Lead Control Strat
were submitted on February 22,
by the Governor's designee.

(153) Revised regulations for the
lowing APCD's were submitted
March 14, 1984 by the Governor's
ignee.

(i) Lake County APCD.

(A) New or amended Rule 602.

(ii) North Coast Unified AQMD.

(A) New or amended Rules 100,
130 [Paragraphs (d1) and (s5)],
(except (a) and non-criteria po
ants), 240, 500, 520, 600, 610 and
pendix B (except (D)(1)(e)).

(B) New or amended Rules, 130,
(b1, m2, n1, p5, s2), 200 (a), (b), (
2), and (d), 220(c), and 260.

(iii) San Diego APCD.

(A) New or amended Rules 2, 52
53.

(B) Amended Rules 67.0 and
(deletion).

(iv) San Joaquin APCD.

(A) New or amended Rules 110,
and 407.

(B) Amended Rules 409.1 and 4

(v) Bay Area AQMD.

(A) New Regulation 8, Rules 31
32.

(vi) Kern County APCD.

(A) Amended Rule 410.1.

(vii) South Coast AQMD.

(A) New or amended Rules 11
and 1141.1.

(B) New Rule 1158, adopted 12-2

(viii) Ventura County APCD.

(A) Amended Rule 74.2

(154) Revised regulations for the
lowing APCD's were submitted
April 19, 1984 by the Governor's de
nee.

(i) Mendocino County APCD.

(A) New or amended Regulatio
Rules 100, 120, 130 [Paragraphs
and (s5)], 160 (except (a) and non
teria pollutants), 240, 500, 520, 600,
and Appendix B (except (D)(1)(e))
Regulation 2: Rules 101, 102, 200,
302, 303, 304, 305, 401, 501, and 502.

(B) New or amended Rules, 130, 200, (a)(1&3), (b)(1, 2, 5, and 7), (c), and 0.

(ii) Monterey Bay Unified APCD.

(A) New or amended Rules 101, 200, 3 and 422.

(B) Amended Rule 426.

(iii) Sacramento County APCD.

(A) New or amended Rules 101, 102, 3, 403-410, 420, 501, 601, 602 and 1.

(B) Amended Rules 441, 442, 444-446 d 448-455.

(iv) San Luis Obispo County APCD.

(A) New or amended Rule 105.

(v) Shasta County APCD.

(A) New or amended Rules 1:2, 2:2 pealed), 2:3 (repealed), 2:6 2:26 (realed), 2:27 (repealed), and 3:2.

(B) Amended Rule 3:4, adopted on nuary 3, 1984.

(vi) Bay Area AQMD.

(A) New or amended Regulation 8, les 6, 7, 29 and 33.

(B) Amended Regulation 9, Rule 4 opted December 7, 1983.

(vii) South Coast AQMD.

(A) Amended Rule 1124.

(B) New Rule 1112, adopted January 1984.

(155) Revised regulations for the folwing APCD's submitted July 10, 84, by the Governor's designee.

(i) Bay Area AQMD.

(A) New or amended Regulation 8, les 11, 34 and 35.

(ii) El Dorado County APCD.

(A) New or amended Rules 215, 216 letion), 216 and 217 (deletion).

(B) New or amended Rule 217.

(iii) Madera County APCD.

(A) New or amended Rules 409 and 0.

(B) New or amended Rules 203 and 4.

(iv) South Coast AQMD.

(A) Amended Rule 1113.

(B) New or amended Rules 401 and 05.

(v) North Coast Unified AQMD.

(A) New or amended Regulation 2.

(B) New or amended Rules 130 (b2, 1, p3, and s7), Chapter II, 200 (c)(3- and 220 (a) and (b).

(vi) Shasta County APCD.

(A) Amended Rule 1:2.

(156) Revised regulations for the folwing APCD's were submitted on Octber 19, 1984 by the Governor's desige.

(i) Bay Area AQMD.

(A) New or amended Rules 2-1 and 8-36.

(ii) Merced County APCD.

(A) New or amended Rules 112, 409.1, and 409.4.

(iii) North Coast Unified AQMD.

(A) New or amended Rules 160 and 460.

(B) Amended Rules 130(c, 1) and 240(e).

(iv) San Diego County APCD.

(A) New or amended Rules 61.0, 61.2, 61.8, and 67.3.

(v) Yolo-Solano APCD.

(A) New or amended Rule 2.21.

(vi) Northern Sonoma County APCD.

(A) New or amended Rules 130 (b2, m1, p3, p3a, and s7), Chapter II, 220(B).

(vii) South Coast AQMD.

(A) New or amended Rule 463, adopted 6-1-84 and 1141.2, adopted 7-6-84.

(157) [Reserved]

(158) Revised regulations for the following Districts were submitted on December 3, 1984 by the Governor's designee.

(i) Mendocino County APCD.

(A) New or amended Rules 1-160, 1-240, 1-460 and 2-502.2.

(B) New or amended Rules 130 (b2, m1, p3, s7), Chapter II, 220 (a)(2) and (b)(3, 4, 6, 8 and 9).

(159) Revised regulations for the following APCD's were submitted on February 6, 1985 by the Governor's designee.

(i) Sacramento County APCD.

(A) Amended Rule 202 (except for a) sections 104 and 105 as they apply to volatile organic compounds and nitrogen oxides, b) sections 109 and 229, and c) the portion of section 405 which concerns stack heights [under NSR]).

(ii) Fresno County APCD.

(A) New or amended Rules 409.7 and 413.1, adopted on October 2, 1984.

(iii) Monterey Bay Unified APCD.

(A) New or amended Rules 100 to 106, 200 to 206, 208 to 214, 400, 401, 405, 406, 408 to 415, 417 to 422, 425 to 428, 500 to 506, 600 to 617, 700 to 713, 800 to 816, and 900 to 904, adopted on December 13, 1984.

(iv) Sacramento County APCD.

(A) New or amended Rules 201 (sections 100–400), 404 (sections 100–300), and 443 (sections 100–400), adopted on November 20, 1984.

(v) South Coast AQMD.

(A) New or amended Rules 1104 and 1125, adopted on December 7, 1984.

(B) Amended Rule 1141, adopted on November 2, 1984.

(vi) Stanislaus County APCD.

(A) New or amended Rules 202(O), 411, and 416.1, adopted on September 18, 1984.

(160) Revised regulations for the following APCD's were submitted on April 12, 1985, by the Governor's designee.

(i) Incorporation by reference.

(A) Bay Area AQMD.

(*1*) Revisions to Regulation 8, Rule 33, adopted on January 9, 1985.

(B) San Luis Obispo County APCD.

(*1*) New or amended Rules 201, 205, 405, and 406, adopted on November 13, 1984.

(C) Shasta County APCD.

(*1*) Amended Rule 2:1.514, adopted on May 29, 1984.

(161) Revisions to the ozone and carbon monoxide nonattainment area plans for the Fresno County portion of the San Joaquin Valley Air Basin were submitted by the Governor on June 11, 1984.

(i) Incorporation by reference.

(A) State of California Air Resources Board Executive Order G-125-46 adopted May 11, 1984.

(B) Letters from the County of Fresno to the Bureau of Automotive Repair dated March 14, 1984 and February 14, 1984 requesting implementation of an I/M program in Fresno County.

(C) County of Fresno Resolution File Number 18-13 adopted February 14, 1984.

(D) Schedule to implement I/M in Fresno County, adopted on February 14, 1984.

(ii) Additional Information. The State submitted no additional information.

(162) Revised regulations for the following APCD were submitted on June 21, 1985 by the Governor's designee.

(i) Northern Sonoma County APCD.

(A) Amended Rule 220 (a).

(163) Rule 1304(e), Resource Con
vation and Energy Projects, adop
on March 7, 1980, submitted on A
3, 1980 (See § 52.220(c)(68)(i)),
conditionally approved on January
1981 [See § 52.232(a)(3)(i)(A)] is di
proved but only with respect
projects whose application for
permit is complete after January
1986.

(164) Revised regulations for the
lowing APCD's were submitted on
tober 16, 1985 by the Governor's de
nee.

(i) Incorporation by reference.

(A) Amador County APCD.

(*1*) New or amended Rules 301-
and 501, adopted 6/16/81; and Ru
502–514 and 517–521, adopted 1/8/8

(B) Northern Sonoma Cou
APCD.

(*1*) Amended Rules 100, 120, 130
and s5), 500, 520, 600, and 610, adop
2/22/84, and amended Rule 200
adopted 7/19/83.

(C) Ventura County APCD.

(*1*) Amended Rules 15, 54, 61, 64,
69, 70, 74.3, 74.4, 74.5, 74.6, 74.8,
and 103, revised 7/5/83.

(*2*) Previously approved and now
moved (without replacement), Rule

(D) Yuba County APCD.

(*1*) Amended Rules 1.1, 2.0, 2.1,
2.5, 2.6, 2.7, 2.9, 2.11, and 2.16, adop
3/5/85.

(165) Revised regulations for the
lowing APCD's were submitted by
Governor's designee on November
1985.

(i) Incorporation by reference.

(A) Northern Sonoma Cou
APCD.

(*1*) Amended Rule 130 s4, adopted
9/85.

(B) South Coast Air Quality M
agement District.

(*1*) Amended Rule 221, adopted 1
85.

(166) A revised regulation for
following district was submitted
December 2, 1983, by the Govern
designee.

(i) Incorporation by reference.

(A) South Coast AQMD.

(1) Amended Rule 466 adopted 10
83.

(167) A revised regulation for
following district was submitted

ust 1, 1984, by the Governor's des-
e.

Incorporation by reference.

) Ventura County APCD.

) Amended Rule 74.7 adopted 7-3-

68) Revised regulations for the fol-
ing APCD's were submitted by the
ernor's designee on February 10,
6.

Incorporation by reference.

) Butte County APCD.

) New or amended Rules 101, 102,
260, 261, 270, 301, 302, 303, 304,
307, 308, 309, 310, 311, 312, 313,
315, 316, 317, 318, 320, 322, 323,
325, 401, 402, 403, 405, 406, 407,
421, 422, 423, 425, 601, 602, 603,
605, 606, 607, 608, 609, 610, 611,
613, 614, 615, 616, 617, 618, 619,
621, 701, 702, 703, 704, 801, 802,
902, and 3-3 (repealed), adopted
ust 6, 1985.

B) Lake County APCD.

) New Rules 650D, 651, and 1701Q,
pted December 10, 1985.

(C) Placer County APCD (Mountain Counties portion).

(*1*) Amended Rules 102, 312, 314, 315, 320, 505, 507, 803, 211A (repealed), and 219M (repealed), adopted May 20, 1985.

(D) Sutter County APCD.

(*1*) Amended Rule 2.5, adopted October 15, 1985.

(E) Tehama County APCD.

(*1*) Amended Rules 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.15, 5.16, 5.17, 5.18, 5.20, 5.21, 5.22, and 5.23, adopted September 19, 1985.

[37 FR 10850, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.220, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.221 Classification of regions.

The California plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Coast Intrastate	II	III	III	III	III
Francisco Bay Area Intrastate	II	II	III	I	I
Central Coast Intrastate	II	III	III	III	I
Central Coast Intrastate	III	III	III	III	III
politan Los Angeles Intrastate	I	II	I	I	I
heast Plateau Intrastate	III	III	III	III	III
amento Valley Intrastate	II	III	III	I	I
Joaquin Valley Intrastate	I	III	III	I	I
Basin Valley Intrastate	III	III	III	III	III
heast Desert Intrastate	I	III	III	III	I
Diego Intrastate	II	III	III	I	I
County Intrastate	II	III	III	III	III
Tahoe Intrastate	II	III	III	I	I
ntain Counties Intrastate	II	III	III	I	I

FR 10850, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 46 FR 3884, Jan. 16,
81]

2.222 Extensions.

(a) The Administrator hereby ex-
nds for 18 months the statutory
etable for submittal of the plan for
ainment and maintenance of the
ondary standards for particulate
tter in the Metropolitan Los Ange-
Intrastate Region.

(b) The Administrator hereby extends to December 31, 1982 certain attainment dates for the national standards for carbon monoxide (CO), ozone (O_3), total suspended particulates (TSP), nitrogen dioxide (NO_2), and/or sulfur dioxide (SO_2) in the following nonattainment areas:

(1) Imperial County for O_3.

(2) South Coast Air Basin for NO_2 and particulate matter (PM).

(3) San Diego Air Basin for TSP and NO_2.

(4) Kern County nonattainment area for ozone, CO, SO_2, and PM.

(5) San Joaquin Valley Air Basin.

(i) Kings County APCD for O_3 and TSP.

(ii) Madera County APCD for O_3 and TSP.

(iii) Merced County APCD for O_3 and TSP.

(iv) San Joaquin County APCD for TSP.

(v) Stanislaus County APCD for CO and TSP.

(vi) Tulare County APCD for O_3 and TSP.

(6) South Central Coast Air Basin.

(i) Santa Barbara County Nonattainment Area for TSP and CO.

(c) [Reserved]

(d) The Administrator hereby extends to December 31, 1987 certain attainment dates for the National Standards for ozone and CO in the following nonattainment areas:

(1) North Central Coast Air Basin for ozone.

(2) Lake Tahoe Basin for CO.

(3) South Central Coast Air Basin.

(i) Santa Barbara County Nonattainment Area for O_3.

(ii) Ventura County for O_3.

(4) San Joaquin Valley Air Basin.

(i) San Joaquin County for CO and O_3.

(ii) Fresno County for O_3 and CO.

(A) Fresno-Clovis Metropolitan Area for CO.

(iii) Stanislaus County for O_3.

(5) Sacramento Valley Air Basin.

(i) Sacramento Metropolitan Area for O_3.

(ii) Sacramento County for CO.

(6) Southeast Desert Air Basin.

(i) Riverside County for Ozone.

(ii) Los Angeles County for Ozone.

(iii) San Bernardino County for Ozone.

(7) Mountain Counties Air Basin.

(i) El Dorado County (Mountain Counties Air Basin portion) for O_3.

(ii) Placer County (Mid-County portion) for O_3.

(8) South Coast Air Basin for O_3 and CO.

(9) Bay Area Air Quality Management District for O_3 and CO.

(10) San Diego Air Basin for O_3 CO.

[37 FR 10850, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGIST tations affecting § 52.222, see the Li CFR Sections Affected in the Finding section of this volume.

§ 52.223 Approval status.

(a) With the exceptions set fort this subpart, the Administrator proves California's plan for the at ment and maintenance of the nati standards under section 110 of Clean Air Act.

(b) With the exceptions set fort this subpart, the Administrator proves the plan with respect to Pa Title I of the Clean Air Act, as am ed in 1977, for the nonattain areas listed in this paragraph. In tion, continued satisfaction of th quirements of Part D for the portion of the State Implement Plan (SIP) depends on the ado and submittal of reasonably avai control technology (RACT) req ments by July 1, 1980 for sources ered by Control Technique Guide (CTGs) issued between January and January 1979 and adoption submittal by each subsequent Jar of additional RACT requirement sources covered by CTGs issued b previous January.

(1) Imperial County for O_3.

(2) North Central Coast Air for O_3.

(3) South Coast Air Basin fo CO, NO_2, and PM.

(4) San Diego Air Basin for O_3 and TSP.

(5) San Joaquin Valley Air Basi

(i) Kern County nonattainment for ozone, CO, SO_2, and PM.

(ii) Kings County for O_3 and TS

(iii) Madera County for O_3 and

(iv) Merced County for O_3 and

(v) San Joaquin County for C and TSP.

(vi) Stanislaus County for C and TSP.

(vii) Tulare County for O_3 and

(viii) Fresno County for O_3, CO TSP.

(6) South Central Coast Air Bas

(i) Santa Barbara County nona ment area for O_3, CO and TSP.

i) Ventura County for O_3, CO and P.

7) Sacramento Valley Air Basin.
i) Butte County for O_3 and CO.
i) Sutter County for O_3.
ii) Yuba County for O_3.
v) Sacramento AQMA for O_3.
v) Sacramento County Metropoli- Area for CO.
8) Southeast Desert Air Basin.
i) Los Angeles County for Ozone.
ii) San Bernardino County for one.
iii) Riverside County for Ozone.
9) San Francisco Bay Area Air sin for O_3, CO and TSP.
10) Mountain Counties Air Basin.
i) El Dorado County (Mountain unties Air Basin portion) for O_3.
ii) Placer County (Mid-County por- n) for O_3.

c) [Reserved]

d) With the exceptions set forth in s subpart, the Administrator ap- oves the plan with respect to Part D, tle I of the Clean Air Act, as amend- in 1977, for the nonattainment eas listed in this paragraph.

(1) Lake Tahoe Basin for CO.

(2) EPA approves the CO plan for e Lake Tahoe Basin as meeting the quirements of Part D. This approval cludes the resolution of the Lake hoe Regional Planning Agency ban- ng new source construction pending e adoption of a new regional plan d ordinances. However, EPA disap- roves the plan for any future time uring which the Tahoe Regional anning Agency may remove its con- ruction ban prior to EPA approval of e new regional plan and ordinances.

5 FR 74484, Nov. 11, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER ci- tions affecting § 52.223, see the List of FR Sections Affected in the Finding Aids ction of this volume.

2.224 General requirements.

(a) The requirements of § 51.116(c) f this chapter are not met except in ertain Air Pollution Control Districts APCD) as indicated in this paragraph nce the plan does not provide proce- ures by which emission data, as cor- related with applicable emission limi- ations, will be made available to the ublic.

(1) The following APCD's meet the requirements of § 51.116(c) of this chapter:

(i) Siskiyou County APCD.
(ii) San Diego County APCD.
(iii) Great Basin Unified APCD.
(iv) Del Norte County APCD.
(v) Humboldt County APCD.
(vi) Mendocino County APCD.
(vii) Northern Sonoma County APCD.
(viii) Trinity County APCD.
(ix) Amador County APCD.

(2) The following APCD's do not provide for the correlation of emission data with applicable emission limitations as required by § 51.116(c) of this chapter. In these APCD's, only the requirements of § 52.224(b)(4) are in effect:

(i) Merced County APCD.
(ii) Stanislaus County APCD.
(iii) Fresno County APCD.
(iv) Calaveras County APCD.
(v) Tuolumne County APCD.
(vi) San Joaquin County APCD.
(vii) Mariposa County APCD.
(viii) Tulare County APCD.
(ix) Kern County APCD.
(x) Madera County APCD.
(xi) Yolo-Solano APCD.
(xii) Sutter County APCD.
(xiii) Glenn County APCD.
(xiv) Tehama County APCD.
(xv) Sierra County APCD.
(xvi) Shasta County APCD.
(xvii) Sacramento County APCD.
(xviii) [Reserved]
(xix) [Reserved]
(xx) Lake County APCD.
(xxi) Imperial County APCD.
(xxii) [Reserved]
(xxiii) Ventura County APCD.
(xxiv) Monterey Bay Unified APCD.
(xxv) [Reserved]
(xxvi) San Luis Obispo County APCD.
(xxvii) Kings County APCD.
(xxviii) Plumas County APCD.
(xxix) Nevada County APCD.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, except for those APCD's specified in paragraph (a) of this section, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

(c) The deletion of the following rules or portions of rules is disapproved, since these regulations are necessary to fulfill the requirements of 40 CFR 51.116(c).

(1) Northcoast intrastate region:
(i) Lake County APCD.
(A) Section 49a, *Public Records,*
Section 49b, *Record,* of Part III,
nitions; and Part II, *Authoriz*
and Disclosure, submitted on Oct
23, 1974 and previously appr
under 40 CFR 52.223, are retained

[40 FR 55328, Nov. 28, 1975]

EDITORIAL NOTE: For FEDERAL REGIST
tations affecting § 52.224, see the L
CFR Sections Affected in the Finding
section of this volume.

§ 52.225 Legal authority.

(a) The requirements of § 51.2
of this chapter are not met since
State Emergency Services Act doe
apply to air pollution emergencies
manner comparable to section 3
the Clean Air Act, as amended.
(b) The requirements of § 51.2
of this chapter are not met sinc
thority to make emission data
able to the public inadequate. Suc
lease is precluded under certain
cumstances.

[37 FR 10852, May 31, 1972, as amend
51 FR 40676, Nov. 7, 1986]

§ 52.226 Control strategy and regula Particulate matter, San Joaquin and Mountain Counties Intrastat gions.

(a) [Reserved]
(b) The following regula
changes represent a relaxation of
viously submitted regulations an
adequate control strategy has
been submitted showing that th
laxation will not interfere with at
ment and maintenance of the Nati
Ambient Air Quality Standards
particulate matter:
(1) Kings County APCD.
(i) Rule 405, Process Weight, sub
ted on July 25, 1973 is disappro
and Rule 405, submitted on June
1972 and previously approved i
CFR 52.223 is retained.
(ii) Rule 407.1, *Disposal of Solid*
Liquid Wastes, submitted on No
ber 4, 1977, is disapproved; and
407.1, *Disposal of Solid and Li*
Wastes, submitted on June 30,
and previously approved under
CFR 52.223 is retained.
(2) Calaveras County APCD.

(i) The revocation of Rule 407(b),
mbustion Contaminants, is disap-
roved; and Rule 407(b), submitted on
ne 30, 1972 and previously approved
40 CFR 52.223 is retained.

(ii) The revocation of Rule 408, Fuel
rning Equipment, is disapproved;
d Rule 408, submitted on June 30,
72 and previously approved in 40
FR 52.223 is retained.

(iii) The addition of Rule 209, Fossil
el-Steam Generator Facility, is dis-
proved; and Rule 408, submitted on
ne 30, 1972 and previously approved
40 CFR 52.223 is retained.

(3) Tuolumne County APCD.

(i) Rule 207, Particulate Matter, sub-
itted on July 22, 1975 is disapproved;
d Rules 404 and 407(b), submitted
June 30, 1972 and previously ap-
roved in 40 CFR 52.223 are retained.

(ii) Rule 209, Fossil Fuel-Steam Gen-
ator Facility, submitted on July 22,
75 is disapproved; and Rule 408, sub-
itted on June 30, 1972, and previous-
approved in 40 CFR 52.223 is re-
ined.

(iii) Rule 207, *Particulate Matter,*
bmitted on February 10, 1977, is dis-
proved and the previously approved
ules 404 and 407(b), submitted on
ne 30, 1972, remain in effect.

(iv) Rule 209, *Fossil Fuel-Steam Gen-*
ator Facility, submitted on February
, 1977, is disapproved and the previ-
sly approved Rule 408, submitted on
ne 30, 1972, remains in effect.

(4) Fresno County APCD.

(i) Rule 407, Disposal of Solid or
quid Wastes, submitted on February
, 1976 is disapproved; and Rule
7.1, submitted on June 30, 1972 and
eviously approved in 40 CFR 52.223
retained.

(ii) Rule 407, Disposal of Solid or
quid Wastes, submitted on Novem-
r 10, 1976, is disapproved; and Rule
7.1, submitted on June 30, 1972 and
eviously approved in 40 CFR 52.223
retained.

(5) San Joaquin County APCD.

(i) Rule 407.1, Disposal of Solid or
quid Wastes, submitted on February
, 1976 is disapproved; and Rule
7.1, submitted on June 30, 1972 and
eviously approved in 40 CFR 52.223
retained.

(6) Mariposa County APCD.

(i) Rule 209, Fossil Fuel-Steam Generator Facility, submitted on January 10, 1975 is disapproved; and Rule 6.4, submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(7) Kern County APCD.

(i) Rule 407.1, Disposal of Solid or Liquid Wastes, submitted on July 22, 1975 is disapproved; and Rule 407.1, submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(8) Madera County APCD.

(i) Rule 405, Process Weight, submitted on January 10, 1975 is disapproved; and Rule 405, submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(9) Tulare County APCD.

(i) Paragraph b. of Rule 407.1.

(10) Merced County APCD.

(i) Rule 407.1, Disposal of Solid or Liquid Wastes, submitted on August 2, 1976 is disapproved; and Rule 407.1 submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

[37 FR 10850, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.226, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.227 Control strategy and regulations: Particulate matter, Metropolitan Los Angeles Intrastate Region.

(a) The requirements of Subpart G of this chapter are not met since the plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Los Angeles Intrastate Region.

(b) The following regulations are disapproved since they are not part of the approved control strategy and do not provide for the degree of control needed for the attainment and maintenance of the primary standards for particulate matter in the Metropolitan Los Angeles Intrastate Region.

(1) Los Angeles County Air Pollution Control District:

(i) Regulation IV, Rule 68.1.

(2) Riverside County Air Pollution Control District:

(i) Regulation IV, Rule 54 for process sources with a process weight rate in excess of 62,000 lbs. per hour. Rule 54 is approved for process sources with a process weight of 62,000 lbs. per hour or less.

(3) Southern California APCD:

(i) Regulation IV, Rule 404 Particulate Matter—Concentration, submitted on August 2, 1976.

(ii) Regulation IV, Rule 473 Disposal of Solid and Liquid Wastes, submitted on August 2, 1976.

(4) South Coast AQMD.

(i) Rule 401(b) submitted on August 15, 1980.

(c) The rescission by the Southern California APCD of the following rules, which were previously approved in the May 31, 1972 (37 FR 10850) and September 22, 1972 (37 FR 19813) Federal Register issues, is disapproved since adequate replacement rules have not been submitted and no analysis has been presented to show that this rescission will not interfere with the attainment and maintenance of the NAAQS for particulate matter as required by section 110 of the Clean Air Act. In addition, the following rules, as submitted in June 1972 and approved for the SIP, remain federally enforceable:

(1) Los Angeles County APCD.

(i) Regulation IV, Rule 52 Particulate Matter—Concentration.

(ii) Regulation IV, Rule 58 Disposal of Solid and Liquid Wastes.

(2) San Bernardino County APCD.

(i) Regulation IV, Rule 52A Particulate Matter—Concentration.

(ii) Regulation IV, Rule 58A Disposal of Solid and Liquid Wastes.

(3) Riverside County APCD.

(i) Regulation IV, Rule 52 Particulate Matter—Concentration.

(ii) Regulation IV, Rule 58 Disposal of Solid and Liquid Wastes.

(4) Orange County APCD.

(i) Regulation IV, Rule 52 Particulate Matter—Concentration.

(ii) Regulation IV, Rule 58 Disposal of Solid and Liquid Wastes.

[37 FR 10850, May 31, 1972, as amended at 37 FR 19813, Sept. 22, 1972; 43 FR 25687, June 14, 1978; 49 FR 18824, May 3, 1984; 51 FR 40676, Nov. 7, 1986]

§ 52.228 Regulations: Particulate matte
Southeast Desert Intrastate Region.

(a) The following regulations are di
approved since they are not part o
the approved control strategy and d
not provide for the degree of contr
needed for the attainment and mainte
nance of the national standards fo
particulate matter in the Southea
Desert Intrastate Region.

(1) Imperial County Air Pollutio
Control District:

(i) Rule 114A.

(ii) Rule 116B.

(2) Los Angeles County Air Pollutio
Control District:

(i) Regulation IV, Rule 68.1.

(3) Riverside County Air Pollutio
Control District:

(i) Regulation IV, Rule 54 for pro
ess sources with a process weight ra
in excess of 160,000 lbs. per hour. Ru
54 is approved for process sources wit
a process weight of 160,000 lbs. p
hour or less.

(b) The following regulator
changes represent a relaxation of pr
viously submitted regulations, and a
adequate control strategy has no
been submitted showing that the r
laxation will not interfere with the a
tainment and maintenance of the n
tional ambient air quality standar
for particulate matter:

(1) Southeast Desert Intrasta
Region:

(i) Imperial County APCD.

(A) Rule 406, Disposal of Solid a
Liquid Wastes submitted on Novemb
4, 1977 is disapproved; and Rule 116
Specific Contaminants submitted o
June 30, 1972 and previously approv
under 40 CFR 52.223 is retained.

(ii) Los Angeles County Air Poll
tion Control District.

(A) Regulation IV, Rule 404 Partic
late Matter-Concentration, and Ru
473, Disposal of Solid and Liqu
Wastes, submitted on June 6, 1977 a
disapproved. Rules 52 and 58, titled
above, respectively, and submitted o
June 30, 1972 and previously approv
under 40 CFR 52.223 are retained.

(iii) Riverside County Air Polluti
Control District.

(A) Regulation IV, Rules 404 Part
ulate Matter-Concentration, 405 Pa
ticulate Matter-Weight, and Rule 47

posal of Solid and Liquid Wastes,
mitted on June 6, 1977 are disap-
wed. Rules 52, Particulate Matter-
ight, 54, Dust and Fumes, and 58,
posal of Solid and Liquid Wastes,
mitted in 1972 and approved under
CFR 52.223, are retained.
v) The repeal of San Bernardino
nty APCD Regulation VI, Orchard
Citrus Grove Heaters, submitted on
e 6, 1977, is disapproved. This reg-
tion (comprised of Rules 101 to 104,
, 110, 120, and 130 to 137), submit-
on February 21, 1972 and approved
er 40 CFR 52.223, is retained as
t of the SIP.

FR 10850, May 31, 1972, as amended at
FR 19813, Sept. 22, 1972; 43 FR 35695,
, 11, 1978; 43 FR 40014, Sept. 8, 1978]

229 Control strategy and regulations: Photochemical oxidants (hydrocarbons), Metropolitan Los Angeles Intrastate Region.

a) [Reserved]
b) The following rules are disap-
wed because they would result in a
axation of control requirements
tained in the presently approved
te Implementation Plan, and no
lysis has been presented to show
t this relaxation will not interfere
h the attainment and maintenance
NAAQS for photochemical oxidants
ydrocarbons) as required by section
of the Clean Air Act.
1) Southern California APCD.
i) Regulation IV, Rule 465 Vacuum
ducing Devices or Systems, submit-
on August 2, 1976.
2) South Coast Air Quality Manage-
nt District.
i) Regulation IV, Rule 461 Gasoline
nsfer and Dispensing, submitted on
e 6, 1977. The version of this rule
the same number and title submit-
on April 21, 1976 and approved
er 40 CFR 52.223 is retained.
c) The rescission by the Southern
ifornia APCD of the following
s, which were previously approved
the September 22, 1972 (37 FR
13) Federal Register issue, is dis-
roved since adequate replacement
s have not been submitted and no
lysis has been presented to show
t this rescission will not interfere
h the attainment and maintenance
the NAAQS for photochemical oxi-
dants (hydrocarbons) as required by section 110 of the Clean Air Act. In addition, the following rules, as submitted in June 1972 and approved for the SIP, remain federally enforceable:

(1) Los Angeles County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

(2) San Bernardino County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

(3) Riverside County APCD, Regulation IV, Rule 74, Vacuum Producing Devices or Systems.

(4) Orange County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

[37 FR 10850, May 31, 1972, as amended at 43 FR 25687, June 14, 1978; 43 FR 40014, Sept. 8, 1978; 46 FR 5978, Jan. 21, 1981]

§ 52.230 Control strategy and regulations: Nitrogen dioxide.

(a) The requirements of § 52.14(c)(3) of this chapter as of September 22, 1972 (47 FR 1983), are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through application of reasonably available control technology in the Metropolitan Los Angeles Intrastate Region. Therefore, Rule 68.b of the Orange County Air Pollution Control District is disapproved.

(b) The following rules are disapproved since they are not part of the approved control strategy and do not provide for the degree of control necessary for the attainment and maintenance of NAAQS for nitrogen dioxide in the Metropolitan Los Angeles Intrastate AQCR:

(1) Orange County APCD, Regulation IV, Rule 474, Fuel Burning Equipment—Oxides of Nitrogen, submitted on February 10, 1977.

(c) The rescission by the Southern California APCD of the following rules is disapproved since adequate replacement rules have not been submitted and no analysis has been presented to show that this rescission will not interfere with the attainment and maintenance of the National Ambient Air Quality Standards as required by section 110 of the Clean Air Act. In addition, the following rules, as submitted in June 1972 and approved for the SIP, remain federally enforceable:

(1) Orange County APCD, Regulation IV, Rule 68, Fuel Burning Equipment—NOx.

(2) Orange County APCD, Regulation IV, Rule 67.1, Fuel Burning Equipment.

[43 FR 25687, June 14, 1978, as amended at 46 FR 3884, Jan. 16, 1981; 51 FR 40677, Nov. 7, 1986]

§ 52.231 Regulations: Sulfur oxides.

(a) [Reserved]

(b) The deletion of the following rules or portions of rules is disapproved, since an adequate control strategy demonstration has not been submitted indicating that the deletions of the control requirements contained in those rules would not interfere with the attainment or maintenance of the National Ambient Air Quality Standard for Sulfur Oxides.

(1) Lake County Intrastate Region.

(i) Lake County, APCD.

(A) Section 3(F), *Sulfur* of Part V, *Prohibitions and Standards,* submitted on October 23, 1974 and previously approved under 40 CFR 52.223, is retained as applicable to sources other than sulfur recovery units.

[43 FR 34464, 34466, Aug. 4, 1978, as amended at 46 FR 3884, Jan. 16, 1981; 46 FR 42461, Aug. 21, 1981]

§ 52.232 Part D conditional approval.

(a) The following portions of the California SIP contain deficiencies with respect to Part D of the Clean Air Act which must be corrected by meeting the indicated conditions of Part D plan approval.

(1) Imperial County for ozone.

(i) By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 and 40 CFR Subpart I, "Review of new sources and modifications."

In revising the Imperial County APCD's NSR rules, the State/APCD must address (A) any new requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (August 7, 1980, 45 FR 52676) which the APCD rules do not now satisfy and (B) those deficiencies

cited in EPA's Evaluation Report
dendum (contained in Document
NAP-CA-06 at the EPA Library
Washington, D.C. and the Region
office).

(ii) By January 1, 1981, a cutback
phalt rule which reflects reasona
available control technology (RA
must be submitted as an SIP revisi

(2) North Central Coast Air Ba
for ozone.

(i) By May 7, 1981, the NSR r
must be revised and submitted as
SIP revision. The rules must sat
section 173 and 40 CFR 51.18, "Rev
of new sources and modifications."
revising the Monterey Bay Uni
APCD's NSR rules, the State/AP
must address (*a*) any new requ
ments in EPA's amended regulati
for NSR under section 173 of
Clean Air Act (August 7, 1980, 45
52676) which the APCD rules do
now satisfy and (*b*) those deficien
with respect to the September 5,
notice cited in EPA's Evaluat
Report Addendum (contained in D
ment File NAP-CA-14 at the EPA
brary in Washington, D.C. and
Region IX office).

(ii) By March 4, 1981, one of the
lowing must be submitted as an
revision: (*a*) Adequate justifica
that the cutback asphalt rule re
sents RACT, (*b*) amendment of
cutback asphalt rule to conform
the controls recommended in the
document for cutback asphalt, or
adequate documentation that the
back asphalt rule will result in e
sion reductions which are within 5
cent of the reductions achievable
the controls recommended in the
back asphalt CTG document.

(3) South Coast Air Basin.

(i)(A) By May 7, 1981, the NSR r
must be revised and submitted a
SIP revision. The rules must sa
section 173 of the Clean Air Act an
CFR 51.18, "Review of new sou
and modifications." In revising
South Coast AQMD's NSR rules,
State/AQMD must address (*1*)
new requirements in EPA's amer
regulations for NSR (45 FR 3
May 13, 1980 and 45 FR 52676, Au
7, 1980) which the AQMD rules do
currently satisfy and (*2*) those
ciencies cited in EPA's Evalua

ort Addendum which still apply pite EPA's new NSR requirements tained in Document File NAP-CA- the EPA Library in Washington, and the Regional Office).

) San Diego Air Basin.

For ozone, CO, TSP, and NO_x:

) By May 7, 1981, the NSR rules nitted on March 17, 1980 must be sed and submitted as an SIP revi- In revising the NSR rules, the e/APCD must address (*1*) any new uirements in EPA's amended regu- ons for NSR under section 173 of Clean Air Act (May 13, 1980, 45 31307; and August 7, 1980, 45 FR 76) which the APCD rules do not rently satisfy and (*2*) the deficien- cited in EPA's *Evaluation Report endum* which still apply despite 's new NSR requirements. The *luation Report Addendum* is con- ed in document file NAP-CA-19 available at the EPA Region IX ce and the EPA Library in Wash- on, D.C.

) The Kern County APCD.

For ozone, CO, and PM:

) By November 19, 1981, the NSR s must be revised and submitted as SIP revision. The rules must satisfy ion 173 of the Clean Air Act and 40 Subpart I, "Review of new rces and modification." In revising n County's NSR rules, the State/ CD must address all the require- nts in EPA's amended regulations NSR (45 FR 31307, May 13, 1980 45 FR 52676, August 7, 1980) ch the APCD rules do not current- atisfy including those deficiencies d in EPA's Evaluation Report Ad- dum which still apply despite A's new NSR requirements (con- ed in Document File NAP-CA-07 the EPA Library in Washington, . and the Regional Office).

i) [Reserved]

ii) For ozone:

A) By February 24, 1985, emission mates and adequate documenta- of base year and projected emis- s from tertiary oil production op- ions for VOC emission sources.

B) By February 24, 1985, a revised sion reduction estimate for each r for control tactic SSI, "Steam ve Controls," which is based upon the refined emission inventory estimates.

(C) By February 24, 1985, a revised control strategy demonstrating attainment of the ozone NAAQS by December 31, 1982.

(D) By February 24, 1985, a revised demonstration of RFP.

(6) The San Joaquin Valley Air Basin Nonattainment Area.

(i) For O_3, PM and CO in San Joaquin County.

(A) By October 30, 1985 the NSR rules must be revised to meet the requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (May 13, 1980 (45 FR 31307) and August 7, 1980 (45 FR 52676)) and submitted as a SIP revision.

(7) San Francisco Bay Area Air Basin.

(i) For ozone and CO:

(A) By June 17, 1982, submittal of implementation commitments and schedules and additional commitments to provide annually the financial and personnel resources necessary to carry out the plan for transportation sources.

(8) [Reserved]

(9) The Santa Barbara County nonattainment areas.

(i) For O_3, TSP, and CO by (90 days from the date of publication of this notice).

(A) The new source review (NSR) rules must be revised to meet the requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (45 FR 31307, May 13, 1980 and 45 FR 52676, August 7, 1980) and submitted as an SIP revision.

(ii) For O_3 by (90 days from the date of publication of this notice), a revised cutback asphalt paving materials rule which does not allow for indefinite compliance date extensions and submitted as an SIP revision.

(10) Kings, Madera, Merced, Stanislaus and Tulare County APCDs.

(i) For O_3 and PM [and CO in Stanislaus County].

(A) By September 7, 1982 the NSR rules must be revised to meet the requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (May 13, 1980, 45 FR

31307 and August 7, 1980, 45 FR 52676) as an SIP revision.

(11) Fresno County and Ventura County nonattainment areas.

(i) For ozone, CO (for Fresno County), and PM:

(A) By November 1, 1982, the NSR rules must be revised to meet the requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (May 13, 1980 (45 FR 31307), August 7, 1980 (45 FR 52676), and October 14, 1981 (46 FR 50766)).

(12) Butte, Sutter and Yuba County APCDs.

(i) For Ozone:

(A) By August 2, 1982, the NSR rules for the counties discussed in this notice must be revised to meet the requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (May 13, 1980, 45 FR 31307 and August 7, 1980, 45 FR 52676).

(13) Los Angeles and Riverside portions of the Southeast Desert Air Basin.

(i) For Ozone:

(A) By August 9, 1982, the new source review rules for the three county areas must be revised to meet the requirements in EPA's amended regulations under section 173 (May 13, 1980, (45 FR 31307), August 7, 1980, (45 FR 52676), and October 14, 1981, (46 FR 50766)).

(B) By August 9, 1982, the State must provide adopted regulations for degreasing operations in the Los Angeles County portion of the SEDAB which represent RACT.

(14) [Reserved]

(15) Mountain Counties Air Basin.

(i) By October 30, 1985 the new source review rules for Placer and El Dorado Counties must be revised to meet the requirements in EPA's amended regulations under section 173 of the Clean Air Act (May 13, 1980 (45 FR 31307), August 7, 1980 (45 FR 52676), and October 14, 1981 (46 FR 50766)).

(16) San Bernardino County portion of the Southeast Desert Air Basin.

(i) For ozone:

(A) By October 30, 1985, the NSR rules must be revised to meet the requirements in EPA's amended regulations for NSR under section 173 of the Clean Air Act (May 13, 1980 (45 F
31307), August 7, 1980 (45 FR 5267
and October 14, 1981 (46 FR 50766)).

(17) Yolo and Solano Counties.

(i) For ozone and CO in those p
tions of Yolo and Solano Count
that are part of the Sacramento M
ropolitan Area:

(A) By October 30, 1985, the NS
rules must be revised to meet the
quirements in EPA's amended regu
tions for NSR under section 173 of t
Clean Air Act (May 13, 1980 (45
31307), August 7, 1980 (45 FR 5267
and October 14, 1981 (46 FR 50766)).

(ii) For ozone:

By November 1, 1982, the State mu
provide either (A) an adequate demo
stration that the following regulatio
represent RACT, (B) amend the re
lations so that they are consiste
with the CTG, or (C) demonstr
that the regulations will result in V
emission reductions which are with
five percent of the reductions whi
would be achieved through the imp
mentation of the CTG recommen
tions:

Yolo-Solano County APCD

Rule 2.24, "Solvent Cleaning Operati
(Degreasing)."

[45 FR 74485, Nov. 10, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER
tations affecting § 52.232, see the List
CFR Sections Affected in the Finding A
section of this volume.

§ 52.233 Review of new sources and m
fications.

(a) The following regulations are d
approved because they are not cons
ent with Clean Air Act requirements

(1) Imperial County APCD.

(i) Subparagraph C.5. of Rule 2
Standards for Permit to Constru
submitted March 17, 1980.

(2) Monterey Bay Unified APCD.

(i) Subparagraph B.5. of Rule 2
Standards for Permit to Constru
submitted March 17, 1980.

(3) South Coast AQMD.

(i) In Rule 1306(a)(i), submitted
April 3, 1980, sentence 3 is dis
proved.

(ii) In Rule 1306(d)(1)(B)(ii), subm
ted on April 3, 1980, the following p
tion of the rule is disapproved: "Wh
have occurred during the high

ree years of the last five year period, ided by three, provided the appli- nt demonstrates that such permit its have been operated at least 90 ys during each of such three years."

(iii) In Rule 1307(a) submitted on ril 3, 1980, the following portion of e rule is disapproved: "Greater than kilograms (150 pounds) per day cept carbon monoxide, for which e value is an increase greater than 0 kilograms (750 pounds) per day."

(4) Kern County APCD.

(i) Those portions of paragraph (E) of Rule 210.1, submitted on ril 15, 1980, which allow new urces and modifications to be empt from LAER.

(b) [Reserved]

(c) The requirements of § 51.160(a) this chapter are not met in the fol- ing Air Pollution Control Districts ce the regulations of the APCD's do t provide the means to prevent con- uction of sources which would vio- e applicable portions of the control ategy or would interfere with the ainment or maintenance of a na- nal standard.

(1) Mariposa County APCD.
(2) Santa Barbara County APCD.

(d) The requirements of § 51.160(a) this chapter are not met in the fol- ing Air Pollution Control Districts ce the regulations of the APCD's do t include a means to prevent con- uction or modification if such con- uction or modification would inter- e with the attainment or mainte- nce of a national standard.

(1) Amador County APCD.
(2) Calaveras County APCD.
(3) El Dorado County APCD (Moun- in Counties Intrastate portion).
(4) [Reserved]
(5) Glenn County APCD.
(6) Humboldt County APCD.
(7)-(8) [Reserved]
(9) Lake County APCD.
(10) Lassen County APCD.
(11) [Reserved]
(12) Mendocino County APCD.
(13) [Reserved]
(14) Modoc County APCD.
(15) Monterey Bay Unified APCD.
(16) Nevada County APCD.
(17) Northern Sonoma County CD.
(18) [Reserved]
(19) Plumas County APCD.
(20) [Reserved]
(21) Shasta County APCD.
(22) Sierra County APCD.
(23) Siskiyou County APCD.
(24) [Reserved]
(25) Sutter County APCD.
(26) [Reserved]
(27) Tuolumne County APCD.

(e) [Reserved]

(f) *Regulation for review of new sources and modifications.* (1) The requirements of this paragraph are applicable to:

(i) Any stationary source in the APCD's listed below, the construction or modification of which is commenced after the effective date of this regulation.

(*a*) Mariposa County APCD.
(*b*) [Reserved]
(*c*) Santa Barbara County APCD.

(ii) Any stationary source subject to the requirements of §§ 52.226(c), 52.227(c), 52.228(b), or 52.230(b), the construction or modification of which is commenced after the effective date of this regulation.

(2) No owner or operator shall commence construction or modification of a stationary source after the effective date of this regulation without first obtaining approval from the Administrator of the location and design of such source.

(i) Application for approval to construct or modify shall be made on forms furnished by the Administrator, or by other means prescribed by the Administrator.

(ii) A separate application is required for each source.

(iii) Each application shall be signed by the applicant.

(iv) Each application shall be accompanied by site information, plans, descriptions, specifications, and drawings showing the design of the source, the nature and amount of emissions, and the manner in which it will be operated and controlled.

(v) Any additional information, plans, specifications, evidence, or documentation that the Administrator may require shall be furnished upon request.

(3) No approval to construct or modify will be granted unless the ap-

plicant shows to the satisfaction of the Administrator that:

(i) The source will be operated without causing a violation of any local, State, or Federal regulations which are part of the applicable plan.

(ii) The source will not prevent or interfere with attainment or maintenance of any national standard.

(4) (i) Within twenty (20) days after receipt of an application to construct, or any addition to such application, the Administrator shall advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of paragraph (f)(4)(ii) of this section, shall be the date on which all required information is received by the Administrator.

(ii) Within thirty (30) days after receipt of a complete application, the Administrator shall:

(*a*) Make a preliminary determination whether the source should be approved, approved with conditions, or disapproved.

(*b*) Make available in at least one location in each region in which the proposed source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination and a copy or summary of other materials, if any, considered by the Administrator in making his preliminary determination; and

(*c*) Notify the public, by prominent advertisement in a newspaper of general circulation in each region in which the proposed source would be constructed, of the opportunity for written public comment on the information submitted by the owner or operator and the Administrator's preliminary determination on the approvability of the source.

(iii) A copy of the notice required pursuant to this paragraph shall be sent to the applicant and to state and local air pollution control agencies, having cognizance over the location where the source will be situated.

(iv) Public comments submitted in writing within thirty (30) days after the date such information is made available shall be considered by the
Administrator in making his final de
sion on the application. No later th
ten (10) days after the close of t
public comment period, the applica
may submit a written response to a
comment submitted by the public. T
Administrator shall consider the app
cant's response in making his final d
cision. All comments shall be ma
available for public inspection in
least one location in the region
which the source would be located.

(v) The Administrator shall ta
final action on the application with
thirty (30) days after the close of th
public comment period. The Admin
trator shall notify the applicant
writing of his approval, conditional a
proval, or denial of the applicatio
and shall set forth his reasons for co
ditional approval or denial. Such no
fication shall be made available f
public inspection in at least one loc
tion in the region in which the sour
would be located.

(vi) The Administrator may exten
each of the time periods specified
paragraph (f)(4)(ii), (iv) or (v) of th
section by no more than 30 days,
such other period as agreed to by th
applicant and the Administrator.

(5) The Administrator may impo
any reasonable conditions upon an a
proval, including conditions requirin
the source to be provided with:

(i) Sampling ports of a size, numbe
and location as the Administrator m
require,

(ii) Safe access to each port,

(iii) Instrumentation to monitor an
record emission data, and

(iv) Any other sampling and testin
facilities.

(6) The Administrator may cancel a
approval if the construction is n
begun within 2 years from the date
issuance, or if during the constructio
work is suspended for 1 year.

(7) Any owner or operator subject t
the provisions of this regulation sha
furnish the Administrator written n
tification as follows:

(i) A notification of the anticipate
date or initial startup of the sourc
not more than 60 days or less than 3
days prior to such date.

(ii) A notification of the actual dat
of initial startup of the source withi
15 days after such date.

i) Within 60 days after achieving maximum production rate at ich the source will be operated but later than 180 days after initial rtup of such source the owner or rator of such source shall conduct performance test(s) in accordance h methods and under operating ditions approved by the Adminis tor and furnish the Administrator a tten report of the results of such formance test.

i) Such test shall be at the expense the owner or operator.

i) The Administrator may monitor h test and may also conduct per mance tests.

ii) The owner or operator of a rce shall provide the Administrator days prior notice of the perform e test to afford the Administrator opportunity to have an observer sent.

iv) The Administrator may waive requirement for performance tests the owner or operator of a source demonstrated by other means to Administrator's satisfaction that source is being operated in compli e with all local, State and Federal ulations which are part of the ap able plan.

9) Approval to construct or modify ll not be required for:

i) The installation or alteration of air pollutant detector, air pollut s recorder, combustion controller, combustion shutoff.

i) Air-conditioning or ventilating tems not designed to remove air llutants generated by or released m equipment.

iii) Fuel burning equipment, other n smokehouse generators which a heat input of not more than 250 Btu/h (62.5 billion g-cal/h) and ns only gaseous fuel containing not re than 0.5 grain H_2S per 100 stdft^3 7 g/100 stdm^3); has a heat input of more than 1 MBtu/h (250 Mg-cal/ and burns only distillate oil; or has heat input of not more than 350,000 u/h (88.2 Mg-cal/h) and burns any er fuel.

iv) Mobile internal combustion en es.

v) Laboratory equipment used ex sively for chemical or physical anal s.

(vi) Other sources of minor significance specified by the Administrator.

(10) Approval to construct or modify shall not relieve any person of the responsibility to comply with any local, State, or Federal regulation which is part of the applicable plan.

(11) Any owner or operator who constructs, modifies, or operates a stationary source not in accordance with the application, as approved and conditioned by the Administrator, or any owner or operator of a stationary source subject to this paragraph who commences construction or modification without applying for and receiving approval hereunder, shall be subject to enforcement action under section 113 of the Act.

(g) *Regulation for review of new sources and modifications.* (1) The requirements of this paragraph are appliable to any stationary source in the APCD's listed below, the construction or modification of which is commenced after the effective date of this regulation.

(i) Amador County APCD.
(ii) Calaveras County APCD.
(iii) El Dorado County APCD (Mountain Counties Intrastate portion).
(iv) [Reserved]
(v) Glenn County APCD.
(vi) Humboldt County APCD.
(vii)-(viii) [Reserved]
(ix) Lassen County APCD.
(x) Madera County APCD.
(xi) Mendocino County APCD.
(xii) Merced County APCD.
(xiii) Modoc County APCD.
(xiv) Monterey Bay Unified APCD.
(xv) Nevada County APCD.
(xvi) [Reserved]
(xvii) Plumas County APCD.
(xviii) San Joaquin County APCD.
(xix) Shasta County APCD.
(xx) Sierra County APCD.
(xxi) Siskiyou County APCD.
(xxii) Stanislaus County APCD.
(xxiii) Sutter County APCD.
(xxiv) Tulare County APCD.
(xxv) Tuolumne County APCD.

(2) No owner or operator shall commence construction or modification of any new source after the effective date of this regulation without first obtaining approval from the Administrator of the location of such source.

(i) Application for approval to construct or modify shall be made on forms furnished by the Administrator, or by other means prescribed by the Administrator.

(ii) A separate application is required for each source.

(iii) Each application shall be signed by the applicant.

(iv) Each application shall be accompanied by site information, stack data, and the nature and amount of emissions. Such information shall be sufficient to enable the Administrator to make any determination pursuant to paragraph (g)(3) of this section.

(v) Any additional information, plans, specifications, evidence, or documentation that the Administrator may require shall be furnished upon request.

(3) No approval to construct or modify will be granted unless the applicant shows to the satisfaction of the Administrator that the source will not prevent or interfere with attainment or maintenance of any national standard.

(4) (i) Within twenty (20) days after receipt of an application to construct, or any addition to such application, the Administrator shall advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of paragraph (g)(4)(ii) of this section, shall be the date on which all required information is received by the Administrator.

(ii) Within thirty (30) days after receipt of a complete application, the Administrator shall:

(*a*) Make a preliminary determination whether the source should be approved, approved with conditions, or disapproved.

(*b*) Make available in at least one location in each region in which the proposed source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination and a copy or summary of other materials, if any, considered by the Administrator in making his preliminary determination; and

(*c*) Notify the public, by promin
advertisement in a newspaper of
eral circulation in each region
which the proposed source would
constructed, of the opportunity
written public comment on the in
mation submitted by the owner or
erator and the Administrator's pre
inary determination on the appro
bility of the source.

(iii) A copy of the notice requ
pursuant to this subparagraph s
be sent to the applicant and to s
and local air pollution control a
cies, having cognizance over the l
tion where the source will be situa

(iv) Public comments submitted
writing within thirty (30) days a
the date such information is m
available shall be considered by
Administrator in making his final d
sion on the application. No later t
ten (10) days after the close of
public comment period, the applic
may submit a written response to
comment submitted by the public. T
Administrator shall consider the ap
cant's response in making his final
cision. All comments shall be m
available for public inspection in
least one location in the region
which the source would be located.

(v) The Administrator shall t
final action on an application wit
thirty (30) days after the close of
public comment period. The Admi
trator shall notify the applicant
writing of his approval, conditional
proval, or denial of the applicati
and shall set forth his reasons for c
ditional approval or denial. Such n
fication shall be made available
public inspection in at least one lo
tion in the region in which the sou
would be located.

(vi) The Administrator may exte
each of the time periods specified
paragraph (g)(4) (ii), (iv) or (v) of t
section by no more than 30 days,
such other period as agreed to by
applicant and the Administrator.

(5) The Administrator may cancel
approval if the construction is
begun within 2 years from the date
issuance, or if during the constructi
work is suspended for 1 year.

(6) Approval to construct or mod
shall not relieve any owner or opera
of the responsibility to comply w

local, State, or Federal regulation
h is part of the applicable plan.
Approval to construct or modify
not be required for:
The installation or alteration of
ir pollutant detector, air pollut-
recorder, combustion controller,
mbustion shutoff.
Air-conditioning or ventilating
ems not designed to remove air
tants generated by or released
equipment.
) Fuel burning equipment, other
smokehouse generators, which
heat input of not more than 250
u/h (62.5 billion g-cal/h) and
s only gaseous fuel containing not
than 20.0 grain H_2S per 100
^{3} (54.8 g/100 stdm^3); has a heat
t of not more than 1 MBtu/h (250
al/h) and burns only distillate oil;
as a heat input of not more than
00 Btu/h (88.2 Mg-cal/h) and
s any other fuel.
) Mobile internal combustion en-
s.
Laboratory equipment used ex-
vely for chemical or physical anal-
) Other sources of minor signifi-
e specified by the Administrator.
Any owner or operator who con-
cts, modifies, or operates a station-
source not in accordance with the
ication, as approved and condi-
ed by the Administrator, or any
er or operator of a stationary
ce subject to this paragraph who
mences construction or modifica-
without applying for and receiv-
approval hereunder, shall be sub-
to enforcement action under sec-
113 of the Act.
)—(i) [Reserved]
Delegation of authority. (1) The
inistrator shall have the author-
o delegate responsibility for imple-
ting the procedures for conduct-
source review pursuant to this sec-
in accordance with paragraphs (j)
(3), and (4) of this section.
) Where the Administrator dele-
s the responsibility for implement-
the procedures for conducting
ce review pursuant to this section
ny Agency, other than a Regional
ce of the Environmental Protec-
Agency, a copy of the notice pur-
nt to paragraphs (f)(4)(iii) and (g)(4)(iii) of this section shall be sent to the Administrator through the appropriate Regional Office.

(3) In accordance with Executive Order 11752, the Administrator's authority for implementing the procedures for conducting source review pursuant to this section shall not be delegated, other than to a Regional Office of the Environmental Protection Agency, for new or modified sources which are owned or operated by the Federal Government or for new or modified sources located on Federal lands; except that, with respect to the latter category, where new or modified sources are constructed or operated on Federal lands pursuant to leasing or other Federal agreements, the Federal Land Manager may at his discretion, to the extent permissible under applicable statutes and regulations, require the lessee or permittee to be subject to new source review requirements which have been delegated to a state or local agency pursuant to this paragraph.

(4) The Administrator's authority for implementing the procedures for conducting source review pursuant to this section shall not be redelegated, other than to a Regional Office of the Environmental Protection Agency, for new or modified sources which are located in Indian reservations except where the State has assumed jurisdiction over such land under other laws, in which case the Administrator may delegate his authority to the States in accordance with paragraphs (j) (2), (3), and (4) of this section.

(k) *Conditions on steam production.* (1) Notwithstanding any provisions to the contrary in the California State Implementation Plan, the Watson petroleum refinery owned by Atlantic Richfield Company, located at 1801 East Sepulveda Boulevard, Carson, California, shall operate under the following conditions listed in paragraphs (k)(2) through (6) of this section.

(2) The total steam load comprised of the steam purchased from Watson Energy Systems and the amount generated by boilers #31, #32, #33, #42, #51, and #52 at the ARCO Watson Refinery shall not exceed 1,355,000 pounds per hour at 680°F, 600 psig.

(3) Continuous written records of steam purchased from Watson Energy

Systems and of the steam produced by boilers #31, #32, #42, #51, or #52 at the ARCO Watson Refinery, during receipt of steam from Watson Energy Systems, shall be maintained and made available for inspection by the EPA and the South Coast Air Quality Management District. These records shall be kept in terms of pounds per hour of steam at 680°F, 600 psig.

(4) The steam purchased from the Watson Energy Systems facility shall be used as a "first-on, last-off" source of steam for the ARCO Watson Refinery, except for steam produced by waste heat or as part of the refining process, or as required to maintain fired boilers in service for emergency use.

(5) Any proposed changes in equipment or fuel that would increase the oil fired steam generating capacity or decrease oil fired steam generating efficiency of boilers #31, #32, #33, #42, #51, and #52 at the ARCO Watson Refinery must be reviewed and approved by the EPA prior to implementation of the proposed changes.

(6) ARCO shall maintain written records of oil consumption at boilers #31, #32, #33, #42, #51, and #52 during receipt of steam from Watson Energy Systems. These records shall be available for inspection by the South Coast Air Quality Management District and the EPA. The total oil consumption of these boilers shall not exceed a monthly average of 226,000 gallons per day when receiving steam from the Watson Energy systems plant at a rate of 350,000 pounds per hour. When receiving steam at a lower rate, ARCO shall be allowed to increase its boiler fuel oil consumption to achieve a total steam load not to exceed the limit of condition two (2).

(l) The following rules and regulations are disapproved because they do not meet the requirements of sections 110, 172, and 173 of the Clean Air Act, since they exempt certain source categories from the offset requirements of the Act:

(1) South Coast Air Quality Management District.

(i) Rule 1304(e), Resource Conservation and Energy Projects, submitted on April 3, 1980, but only with respect to projects whose application for a permit is complete after January 1986,

(ii) Rule 1304(b)(2), Resource ar Energy Conservation Projects, submi ted on November 8, 1982, but onl with respect to projects whose applic tion for a permit is complete after Ja uary 1, 1986,

(m) Revised South Coast Regulatio XIII, submitted on November 8, 198 is not approved inasmuch as action it is temporarily deferred.

[37 FR 19813, Sept. 22, 1972]

EDITORIAL NOTE: For FEDERAL REGISTE tations affecting § 52.233, see the List CFR Sections Affected in the Finding Ai section of this volume.

§ 52.234 Source surveillance.

(a) Except in the Air Pollution Co trol Districts (APCDs) listed in th paragraph, the requirements § 51.211 of this chapter are not m since the plan does not provide for re ordkeeping and periodic reporting emission data by sources.

(1) Amador County APCD.

(2) Bay Area AQMD.

(3) Calaveras County APCD.

(4) Del Norte County APCD.

(5) El Dorado County APCD.

(6) Humboldt County APCD.

(7) Imperial County APCD.

(8) Lake County APCD.

(9) Mariposa County APCD.

(10) Mendocino County APCD.

(11) Nevada County APCD.

(12) Northern Sonoma Count APCD.

(13) Placer County APCD.

(14) Plumas County APCD.

(15) Sierra County APCD.

(16) Trinity County APCD.

(17) Ventura County APCD.

(b) The requirements of § 51.212 this chapter are not met since the pla does not adequately provide for per odic testing and inspection of statio ary sources within the Bay Area A Pollution Control District portion the San Francisco Bay Area Intrastat Region.

(c) The requirements of § 51.212 this chapter are not met since th system for detecting violation through enforcement of visible emi sion regulations and complaint han dling is not adequately described.

(d) *Regulation for source recordkeeping and reporting.* (1) The owner or operator of any stationary source in the State of California, except for those APCD's specified in paragraph (a) of this section, shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(e) The requirements of § 51.214 of this chapter are not met in the following air pollution control districts (APCD's) since all of the applicable requirements of Appendix P of Part 51 are not included in the district regulations.

(1) Amador County APCD.
(2) Bay Area AQMD
(3) Calaveras County APCD.
(4) El Dorado County APCD.
(5) Imperial County APCD.
(6) Kern County APCD.
(7) Kings County APCD.
(8) Los Angeles County APCD.
(9) Mariposa County APCD.
(10) Monterey Bay Unified APCD.
(11) Nevada County APCD.
(12) Placer County APCD.
(13) Plumas County APCD.
(14) San Bernardino County Desert APCD.
(15) San Diego County APCD.
(16) San Joaquin County APCD.
(17) San Luis Obispo County APCD.
(18) Santa Barbara County APCD.
(19) Sierra County APCD.
(20) South Coast AQMD.
(21) Stanislaus County APCD.
(22) Tulare County APCD.
(23) Ventura County APCD.

[37 FR 10850, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.234, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.235 [Reserved]

§ 52.236 Rules and regulations.

(a) Since the following Air Pollution Control District (APCD) rules do not define the term "agricultural operations," the rules are disapproved because they could render certain emission limitations rules unenforceable.

(1) Imperial County APCD.

(i) Rule 114.5, submitted on November 10, 1976.

(ii) Rule 148.D(3), submitted on November 10, 1976.

(b) The following Air Pollution Control District (APCD) rules are disapproved because they contain the term "agricultural operations" and/or the term "other equipment in agricultural operations," both of which are either undefined or inadequately defined, thus rendering certain emission control rules unenforceable:

(1) San Luis Obispo County APCD.

(i) Rules 401(B)(4) and 401(B)(6), submitted on November 10, 1976.

(2) Sacramento County APCD.

(i) Rule 7(b)(5), submitted on November 4, 1977.

(3) Glenn County APCD.

(i) Section 77(e), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(4) Mariposa County APCD.

(i) Rule 203(G), submitted on June 6, 1977.

(5) Kern County APCD.

(i) Rules 402(c) and 402(e), submitted on; November 10, 1976.

(6) Fresno County APCD.

(i) Rules 402(c) and 402(e), submitted on October 23, 1974.

(ii) Rules 402(c) and 402(e), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(7) Tulare County APCD.

(i) Section 402(c), submitted on November 10, 1976, and previously approved under 40 CFR 52.223 (42 FR 47556).

(8) Madera County APCD.

(i) Rules 402(c) and 402(e), submitted on January 10, 1975, and previously approved under 40 CFR 52.223 (42 FR 42219).

(9) Amador County APCD.

(i) Rules 203(G), submitted on October 15, 1979, and 205(G), submitted on June 30, 1972.

(c) Since the following Air Pollution Control Districts have deleted definitions which could allow a relaxation of emission limitations, the deletions are disapproved:

(1) Merced County APCD.

(i) Rule 102(hh), submitted on June 30, 1972, previously approved under 40 CFR 52.223, and deleted by the August 2, 1976 submittal, is retained.

(2) El Dorado County APCD.

(i) Rule 102(LL), submitted on November 4, 1977, previously approved at 43 FR 51632, and deleted by the May 23, 1979 submittal, is retained.

(d) The following rules or portions of rules are disapproved since they contain provisions which are inconsistent with 40 CFR Part 58, Ambient Air Quality Surveillance.

(1) Lake County APCD.

(i) Section 224, *Equivalent Method*, and Table V, *Table of Standards, Applicable Statewide*, submitted on February 10, 1977.

(ii) Table V, *Concentrations and Methods*, submitted on January 2, 1979, and Table V, submitted on February 10, 1976 and previously approved at 42 FR 42224.

(e) Since the following air pollution control districts have revised definitions so as to render the associated emission control requirements less stringent without a control strategy demonstration, the revisions are disapproved.

(1) Mendocino County APCD.

(i) Rule 130(p4), submitted on November 10, 1976. (Part III-49, previously submitted on February 21, 1972, and approved in 40 CFR 52.223, is retained).

(ii) Rule 130(s3), submitted on November 10, 1976. (Part III-55, previously submitted on February 21, 19
and approved in 40 CFR 52.233, is
tained).

(2) Shasta County APCD.

(i) The definition of "modificati
in Rule 1:2, *Definitions*, submitted
October 13, 1977, is disapproved.

(3) San Bernardino County Des
APCD.

(i) Rule 103, *Definition of Ter*
submitted on November 4, 1977, is
approved with respect to the delet
of the following terms: "Distilling t
heater", "Noncomplying orch
heater", "Pipe line systems",
"Return stack heater". (Rule 2, *D*
nitions, submitted on February
1972 and approved in 40 CFR 52.223
retained for the above terms.)

(4) Southeast Desert Intrast
Region.

(i) San Bernardino County Des
APCD.

(A) Rule 102, *Definition of Ter*
submitted November 4, 1977 is dis
proved with respect to the deletion
the following terms: Distilling t
heater, Non-complying orch
heater, Pipe line systems, and Retu
stack heater. Rule 2, *Definitions*, s
mitted February 21, 1972 and
proved in 40 CFR 52.223, is retai
for the above terms.

(f) The following APCD rules
disapproved because they exem
some portions of the districts from t
existing air pollution control regu
tions without setting forth substitu
rules for the exempted areas.

(1) El Dorado County APCD.

(i) Rule 201, submitted on Novemb
4, 1977, is disapproved. (The previo
ly approved Rule 49, submitted
June 30, 1972, is retained for Fede
enforcement purposes.)

(g) The following Air Pollution Co
trol District (APCD) rules are dis
proved pursuant to secti
110(a)(2)(K) of the Clean Air Act
cause they could allow recovery
legal expenses associated with perm
enforcement actions.

(1) Monterey Bay Unified APCD.

(i) Rule 300 (i)(1), *Permit Fee*, su
mitted on December 17, 1979.

(2) El Dorado County APCD.

(i) Rule 104, submitted on May
1979.

R 39664, Aug. 5, 1977]

ORIAL NOTE: For FEDERAL REGISTER ci-
s affecting § 52.236, see the List of
Sections Affected in the Finding Aids
n of this volume.

37 Part D disapproval.

The following portions of the
ornia SIP are disapproved be-
they do not meet the require-
s of Part D of the Clean Air Act.
The ozone and CO attainment
nstrations for the South Coast
asin. No major stationary source,
ajor modification of a stationary
e, of carbon monoxide or volatile
organic compounds may be constructed in the South Coast Air Basin unless the construction permit application is complete on or before August 30, 1988.

[46 FR 5979, Jan. 21, 1981, as amended at 48 FR 53118, Nov. 25, 1983; 50 FR 35798; Sept. 4, 1985; 53 FR 1781, Jan. 22, 1988]

§ 52.238 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in California's plan, except where noted.

quality control region and nattainment control region	Pollutant						
	TSP		SO$_2$		NO	CO	O$_3$ (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
oe Intrastate	(d)	(a)	(e)	(e)	(e)	(i)	(e)
Counties Intrastate:							
ramento Metropolitan Area							
acer (portion)	d	e	d	e	e	e	i
er County portion	e	e	e	e	e	e	i
orado County portion	a	e	e	e	e	e	i
ast Intrastate	(*)	(*)	(*)	(*)	(*)	(*)	(*)
cisco Bay Area Air Basin	(d)	(d)	(e)	(e)	(e)	(i)	(i)
ntral Coast Intrastate	(e)	(e)	(e)	(e)	(e)	5/31/77	(i)
ntral Coast Intrastate:							
a Barbara County Non-AQMA rtion:							
West area (40 CFR 81.305)	(h)	(h)	(e)	(e)	(e)	(h)	(i)
East area	(e)	(e)	(e)	(e)	(e)	(e)	(i)
San Luis Obispo County:							
Salinas Valley—El Pomar Estrella Planning Area	(d)	(a)	(e)	(e)	(e)	(e)	(a)
Non-Salinas Valley	(d)	(a)	(e)	(e)	(e)	(e)	(a)
itan Los Angeles Intrastate:							
th Coast Air Basin (SCAB)	(h)	(c)	(d)	(e)	(h)	(i)	(i)
a Barbara County AQMA porn	(e)	(e)	(e)	(e)	(e)	(h)	(i)
ura County (mainland portion):							
North of Southern Los Padres N.F. boundary	h	h	d	e	e	e	i
South of Southern Los Padres N.F. boundary	h	h	d	e	e	e	i
Islands (other than SCAB Is-	(e)	(e)	(e)	(e)	(e)	(e)	(e).
o Intrastate	(*)	(*)	(*)	(*)	(*)	i	i
ern portion	e	e	e	e	e	e	i
tern portion	h	h	e	e	h	i	i
t Plateau Intrastate	(*)	(*)	(*)	(*)	(*)	(*)	(*)
nto Valley Intrastate:							
ramento Metropolitan Area	d	e	d	e	e	e	i
ramento County	d	h	d	e	e	i	i
-Solano County (section)	d	e	d	e	e	e	i
quin Valley Intrastate:							
resno County:							
Fresno-Clovis Metropolitan Area	h	h	d	e	e	i	i
Remainder	h	h	d	e	e	e	i
ern County	h	c	h	h	d	h	h
ings County	h	h	e	e	e	5/31/77	h
adera County	h	h	e	e	e	......do	h
erced County	h	h	e	e	e	......do	h
an Joaquin County	h	h	e	e	e	i	i

Air quality control region and nonattainment control region	Pollutant						
	TSP		SO₂		NO	CO	(hy carb
	Primary	Secondary	Primary	Secondary			
g. Stanislaus County	h	h	e	e	e	h	
h. Tulare County	h	h	e	e	e	5/31/77	
Great Basin Valley Intrastate	(¹)	(¹)	(¹)	(¹)	(¹)	(¹)	
Southeast Desert Intrastate:							
a. Imperial County portion	e	e	e	e	e	e	
b. San Bernardino County portion	a	a	e	e	e	5/31/77	
c. Riverside County portion	a	a	e	e	e	......do	
d. Los Angeles County portion	a	a	e	e	e	5/31/77	
e. Remainder of AQCR	a	a	e	e	e	......do	5/3

NOTE 1: Dates or references which are italicized are prescribed by the Administrator because the plan did not prov specific date or the date provided was not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attai dates are set out at 40 CFR 52.238 (1979).

NOTE 3: Description of the boundary dividing the Eastern and Western portions of the new San Diego Intrastate is set o 36 FR 22439-22440, November 25, 1971.

[1] July 1975.

[2] May 31, 1977.

[a] July 1975.

[b] 5 years from plan approval.

[c] 18-month extension granted.

[d] Air quality levels presently below primary standards.

[e] Air quality levels presently below secondary standards.

[f] Transportation and/or land-use control strategies to be submitted no later than Apr. 15, 1973.

[g] Transportation and/or land-use control strategies will be proposed by the Administrator.

[h] December 31, 1982.

[i] December 31, 1987.

[j] Extension granted for Fresno and Los Angeles areas until October 31, 1984 for attainment of the Lead NA

[38 FR 7325, Mar. 20, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.238, see the List of C Sections Affected in the Finding Aids section of this volume.

§ 52.239 Alternate compliance plans.

(a) Alternative compliance plans (bubble plans) developed under the District rules listed below must be submitted to EPA by the State of California as SIP revisions. The emission limits contained in the District rule will continue to be enforceable by EPA and private citizens under sections 113 and 304(a) of the Act until the alternative compliance plans are approved by EPA for inclusion in the SIP.

(1) Bay Area AQMD.

(i) Rule 4 of Regulation 8, submitted on February 7, 1980.

(b) Alternative compliance plans (bubble plans) developed under the District rules listed below are considered the applicable requirements in the SIP which are enforceable by EPA and private citizens under section 113 and 304(a) of the Act. Alternative compliance plans must be submitted to EPA after their approval by the District. The District rules do not apply to or supersede the conditions that a source must meet under nonattainment or PSD permit programs, n source performance standards, or tional emission standards for haz ous air pollutants.

(1) Bay Area AQMD.

(i) Rules 11, 13 and 19 of regulat 8, submitted on February 7, 1980.

[47 FR 11870, Mar. 19, 1982]

§ 52.240 Compliance schedules.

(a) The requirements of § 51.26 of this chapter are not met in the lowing Air Pollution Control Distr since the regulations cited do not p vide increments to progress tow compliance.

(1) Rules 50-A, 52-A, 53-A(a), A(b), 53-A(c), 53.2, 53.3, 54.A, 5 62.1, 68, 69, 70, and 71 of the San B nardino County APCD.

(2) Rules 53, 72.1, and 72.2 of Riverside County APCD.

(3) Rules 53, 66.c, and 68.a of Orange County APCD.

(4) Rule 39.1 of the Santa Barb County APCD.

le 59 of the Ventura County

le 66(c) of the Los Angeles
APCD.
le 4.5 of the Siskiyou County

ule 64(c) of the Northern
County APCD.
le 409 of the Tulare County

e requirements of § 51.261 are
since Rule 68.a of the Orange
Air Pollution Control District
provide for compliance within
after the Administrator's ap-
f the plan.
deral compliance schedule. (1)
s provided in paragraph (c)(2)
ection, the owner or operator
stationary source subject to
a of the Orange County Air
n Control District shall
with such rule or regulation on
e January 31, 1974.
y owner or operator in compli-
th this rule on the effective
this regulation shall certify
mpliance to the Administrator
than 120 days following the
e date of this paragraph.
ny owner or operator who
compliance with such rule or
on after the effective date of
ulation shall certify such com-
to the Administrator within 5
f the date compliance is
d.
ny owner or operator of a sta-
source subject to paragraph
f this section may, not later
0 days following the effective
this paragraph, submit to the
strator for approval a proposed
nce schedule that demon-
compliance with the rules and
ons specified in paragraph
f this section as expeditiously
ticable but no later than July
'5. The compliance schedule
provide for increments of
s toward compliance. The dates
ievement of such increments of
s shall be specified. Increments
ress shall include, but not be
to: Submittal of final control
the Administrator; letting of
ry contracts for construction or
changes or issuance of orders
purchase of component parts

to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(d) Regulation for increments of progress. (1) The requirements of this paragraph are applicable to any stationary source in the following Air Pollution Control Districts subject to the indicated regulations.

(i) Rules 50-A, 52-A, 53-A(a), 53-A(b), 53-A(c), 53.2, 53.3, 54.A, 58.A, 62.1, 68, 69, 70, and 71 of the San Bernardino County APCD.

(ii) Rules 53, 72.1, and 72.2 of the Riverside County APCD.

(iii) Rules 53 and 66.c of the Orange County APCD.

(iv) Rule 39.1 of the Santa Barbara County APCD.

(v) Rule 59 of the Ventura County APCD.

(vi) Rules 66(c) and 68 of the Los Angeles County APCD.

(vii) Rule 4.5 of the Siskiyou County APCD.

(viii) Rule 64(c) of the Northern Sonoma County APCD.

(ix) Rule 409 of the Tulare County APCD.

(2) Except as provided in paragraph (3) of this section, the owner or operator of any stationary source shall, no later than 120 days following the effective date of this paragraph, submit to the Administrator for approval, a proposed compliance schedule that demonstrates compliance with the applicable regulations as expeditiously as practicable but no later than the final compliance date specified by such applicable regulation. The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but

not be limited to: Submittal of final control plan to the Administrator; letting of necessary contracts for construction or process changes or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(3) Where any such owner or operator demonstrates to the satisfaction of the Administrator that compliance with the applicable regulations will be achieved on or before January 31, 1974, no compliance schedule shall be required.

(4) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(5) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(e) Federal compliance schedules. The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N and paragraph (d) of this section. All regulations cited are air pollution control regulations of the specific county in which the source is located, unless otherwise noted.

Source	County location	Regulation involved	Effective date	Final compliance date
Douglas Aircraft Co	Los Angeles	Rule 66(c)	Sept. 1, 1974	Aug. 31, 1974
City of Los Angeles, Department of Water and Power:				
a. Haynes Unit 1	do	Rule 68	Dec. 31, 1974	July 5, 1974.
b. Haynes Unit 2	do	Rule 68	do	Nov. 29, 1974
c. Haynes Unit 3	do	Rule 68	do	Dec. 13, 1974
d. Haynes Unit 4	do	Rule 68	do	Aug. 12, 1974
e. Haynes Unit 5	do	Rule 68	do	Dec. 30, 1974
Southern California Edison Co.:				
a. Alamitos Unit 5	do	Rule 68	do	Dec. 31, 1974
b. Alamitos Unit 6	do	Rule 68	do	Do.
c. Redondo Unit 7	do	Rule 68	do	Do.
d. Redondo Unit 8	do	Rule 68	do	Do.
e. Ormond Beach Station, Unit 1	Ventura	Rule 59	Jan. 1, 1975	Do.
f. Ormond Beach Station, Unit 2	Rule 59	Rule 59	do	Do.
Kerr-McGee Chemical Co.:				
a. Chemhi dryer (potash section)	San Bernardino	Rules 50A, 52A, and 54A.	do	Oct. 15, 1974
b. Supo dryer (potash section)	do	Rules 50A, 52A, and 54A.	do	Nov. 10, 1974
c. No. 1 aghi dryer (potash section).	do	Rules 50A, 52A, and 54A.	do	Dec. 15, 1974
d. No. 2 aghi dryer (potash section).	do	Rules 50A, 52A, and 54A.	do	Nov. 15, 1974
e. Boric acid dryer (boron section)	do	Rules 50A, 52A, and 54A.	do	Nov. 1, 1974.
f. No. 2 dryer (soda products section).	do	Rules 50A, 52A, and 54A.	do	Dec. 20, 1974
g. Licons roaster (soda products section).	do	Rules 50A, 52A, and 54A.	do	Dec. 1, 1974.
h. Bleacher (carbonation section)	do	Rules 50A, 52A, and 54A.	do	Dec. 15, 1974
Riverside Cement Co. Kilns Nos. 1 through 5	do	Rules 52A and 54A	do	Dec. 31, 1974
Stauffer Chemical Co.:				
a. Grade 80 plant	do	Rules 50A and 52A	do	Dec. 20, 1974
b. Dense ash plant	do	Rules 50A and 52A	do	Nov. 15, 1974
c. Anhydrous boron plant	do	Rules 50A and 52A	do	Nov. 8, 1974
Witteman Steel Mills	do	Rule 50A	do	Jan. 1, 1975.

(f) State compliance schedules. (1) Compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the air pollution control district where the source is located, unless otherwise indicated.

Source	Location (county)	Rule or regulation involved	Date of adoption	Effective date	Final compliance date
erpace Corp., Heavy Clay and Minerals Division (Order No. 15).	Amador	2, 3, 7	Nov. 28, 1973	Immediately	Feb. 15, 1975.
erpace Corp., Heavy Clay and Minerals Division (Order No. 16).	do	2, 3, 7	do	do	Do.
erpace Corp., Heavy Clay and Minerals Division (Order No. 17).	do	2, 3, 7	do	do	Do.
ntkote Co., Calaveras Cement Division (Order No. 1).	Calaveras	401, 404, 405, 406.	Oct. 26, 1973	do	Apr. 1, 1975.
own Simpson Pulp Co. (Order No. 74-2).	Humboldt	52c	Mar. 6, 1974	do	Dec. 21, 1974.
uisiana Pacific Corp. (Order No. 52).	do	50, 52a	Oct. 30, 1973	do	Dec. 31, 1974.
ohills Alfalfa Mills (dehydration system) (Order No. 2).	Imperial	121	Dec. 12, 1973	do	Jan. 31, 1975.
val Air Facility (El Centro)	do	122	Feb. 13, 1974	do	Do.
llins Pine Co. (Order No. 74-1).	Plumas	50	Jan. 16, 1974	do	Jan. 15, 1975.
M Co. (Minnesota Mining & Manufacturing) (Order No. 5-73).	Riverside	52, 54	Jan. 8, 1974	do	Jan. 31, 1975.
mpbell Soup Co	Sacramento	25	Jan. 25, 1974	do	Dec. 31, 1974.
lifornia Cedar Products (Order No. 74-1).	San Joaquin	401, 404, 405, 406.	Jan. 22, 1974	do	Jan. 1, 1975.
ly Sugar Co. (Order No. 73-3).	do	401, 404	Dec. 27, 1973	do	July 1, 1975.
cific Growers (Nulaid Food, Inc.) (Order No. 74-4).	do	404	Jan. 22, 1974	do	Jan. 1, 1975.
rt of Stockton (Order No. 73-8).	do	401, 404	Dec. 27, 1973	do	May 1, 1975.
gnal Terminals, Inc. (Order No. 74-7).	do	410, 412	Feb. 21, 1974	do	Dec. 31, 1974.
outhern Pacific Pipe Lines, Inc. (Order No. 74-8).	do	410, 412	do	do	Do.
ine Oil Co. (Order No. 74-11)	do	410, 412	do	do	Do.
S. Plywood Corp. (Order No. 72-V-10).	Shasta	3.1, 3.2	Nov. 20, 1973	do	Do.
S. Plywood Corp. (Order No. 72-V-11).	do	3.1, 3.2	do	do	Do.
S. Plywood Corp. (Order No. 72-V-35).	do	3.1, 3.2	Oct. 25, 1973	do	Do.
erbank Army Ammunition Plant.	Stanislaus	409	Feb. 7, 1974	do	Do.
eral Motors Corp., General Motors Assembly Division (Order No. 1504-2).	Los Angeles	66(c)	June 25, 1974	do	July 1, 1975.
S. Air Force—Norwalk facility	do	61	June 20, 1974	do	May 31, 1975.
AF, Castle Air Force Base (classified waste incinerator).	Merced	417	Apr. 25, 1974	do	Do.
sco, Inc. (Order No. 66)	Monterey	415	Jan. 24, 1974	do	July 1, 1975.
AF, March Air Force Base (Order No. 6-74).	Riverside	61	Mar. 19, 1974	do	July 31, 1975.
mond Walnut Growers, Inc. (Order No. 74-17).	San Joaquin	401, 404	May 16, 1974	do	June 15, 1975.
t of Stockton (Order No. 73-8).	do	401, 404	Apr. 18, 1974	do	May 1, 1975.
ns-Manville Products Corp. (Order No. 7).	Santa Barbara	16	Mar. 11, 1974	do	July 31, 1975.
st-West Dairymen's Association (Order No. 12).	Stanislaus	405, 406	July 24, 1974	do	July 24, 1975.

Source	Location (county)	Rule or regulation involved	Date of adoption	Effective date	Final compliance
Farmers Warehouse (Order No. 7).	do	405, 408	Apr. 17, 1974	do	Mar. 13, 197
Foremost-McKesson, Inc. (Order No. 8).	do	405, 408	do	do	Apr. 4, 1975
Knudsen Corp. (Order No. 9)	do	405, 408	do	do	Apr. 17, 1975
Pacific International Rice Mills, Inc. (Order No. 74-003).	Yolo	2.19	do	do	Do.
Heppner Iron and Metal Co	Fresno	407.2	Oct. 16, 1974	do	July 1, 1975
Masonite Corp. (Order No. 74-8 as revised).	Mendocino	V-1	Sept. 30, 1974	do	Do.
Castle Air Force Base (Order No. 74-2 as revised).	Merced	410	Aug. 19, 1974	do	Aug. 1, 1975
Delta Cotton Co. (Order No. 74-3).	do	404	do	do	July 30, 1975
U.S. Navy: III. Activity Service Stations.	San Diego	61, 63	Aug. 22, 1974	do	Sept. 30, 197
Teichert Construction (Order No. 74-21).	San Joaquin	401	Sept. 19, 1974	do	June 30, 197
The Learner Co. (Order No. 74-22 as revised).	do	401, 404	do	do	July 15, 1975
Lorenz Lumber Co. (Order No. 71-V-16 as revised).	Shasta	3.1, 3.2	Oct. 30, 1974	do	July 1, 1975
Kimberly Clark Corp. (Order No. 71-V-27 as revised).	do	3.1, 3.2	do	do	July 31, 1975
Bedford Aggregates Gravel Plant (Order No. PV-74-01).	Tuolumne	401(A), (B)	Oct. 3, 1974	do	Do.
Architectural Aggregates (Order No. APV-74-02).	do	401(A), (B)	do	do	Do.
Hoods Creek Gravel Plant (Order No. PV-74-03).	do	401(A), (B)	do	do	Do.
Adams, Schwab and Adams Elevator Co. (Order No. 74-13).	Yolo	2.19	Oct. 8, 1974	do	Do.

(2) The compliance schedules for the sources identified below are disapprove as not meeting the requirements of Subpart N of this chapter. All regulation cited are air pollution control regulations of the county in which the source located, unless otherwise indicated.

Source	Location (county)	Rule or regulation involved	Date of adoption	Effective date	Final compliance
Simpson Lee Paper Co. (Order No. 72-V-7).	Shasta	3.2	Oct. 31, 1973	Immediately	Jan. 15, 1976
Monolith Portland Cement Co. (Order No. 73-6 as amended Mar. 11, 1974).	Kern	401(b), 404.1, 406	Dec. 31, 1973	do	July 1, 1976

[37 FR 19814, Sept. 22, 1972]

Editorial Note: For Federal Register citations affecting § 52.240, see the List of CF Sections Affected in the Finding Aids section of this volume.

§§ 52.241—52.245 [Reserved]

§ 52.246 Control of dry cleaning solvent vapor losses.

(a) For the purpose of this section, "dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(b) This section is applicable in th Metropolitan Los Angeles, Sacramento Valley, and San Joaquin Valley Intrastate Air Quality Control Regions (th "Regions"), as described in 40 CF Part 81, dated July 1, 1979, except a follows:

(1) In the following portions of th Sacramento Valley Region, this section is rescinded:

i) Sacramento County APCD.
i) Placer County APCD (Mountain
unties Air Basin portion).
ii) Yuba County APCD.
v) Sutter County APCD.
2) In the following portions of the
etropolitan Los Angeles Intrastate
gion, this section is rescinded:
i) Ventura County APCD.
3) In the following portions of the
n Joaquin Valley Intrastate Region,
s section is rescinded:
i) San Joaquin County APCD.
i) Stanislaus County APCD.
ii) Tulare County APCD.
v) Fresno County APCD.
c) Any dry cleaning establishment
at uses solvents containing 4 percent
more by volume of any reactive or-
nic material listed under paragraphs
(1), (2), and (3) of § 52.254 except
rchloroethylene or any saturated
logenated hydrocarbon shall reduce
e emissions of the discharged organ-
by 90 percent by use of activated
rbon adsorption or other appropri-
e means; not later than January 1,
75.
(d) If incineration is used as a con-
l technique, 90 percent or more of
e carbon in the organic compounds
ing incinerated must be oxidized to
rbon dioxide.

FR 31246, Nov. 12, 1973, as amended at
FR 41122, Aug. 15, 1977; 42 FR 42226,
g. 22, 1977; 47 FR 15586, Apr. 12, 1982; 47
18856, May 3, 1982; 47 FR 26385, June
1982; 47 FR 28622, July 1, 1982; 47 FR
70, July 8, 1982; 47 FR 30865, Nov. 10,
82]

52.247—52.251 [Reserved]

2.252 Control of degreasing operations.

(a) "Degreasing" means any oper-
tion using an organic solvent as a sur-
ce cleaning agent prior to fabricat-
g, surface coating, electroplating, or
y other process.
(b) This section is applicable in the
acramento Valley, San Joaquin
alley, and San Francisco Bay Area
trastate Air Quality Control Re-
ons (the "Regions"), as described in
CFR Part 81, dated July 1, 1979,
cept as follows:
(1) In the following portions of the
acramento Valley Region, this sec-
on is rescinded:
(i) Sacramento County APCD.

(ii) Placer County APCD (Mountain Counties Air Basin portion).

(iii) Yuba County APCD.

(iv) Sutter County APCD.

(c) Any organic emissions discharged from degreasing operations must either be reduced by at least 85 percent, or the degreasing solvent must be classified as non-photochemically reactive as defined by paragraph (k) of § 52.254 not later than January 1, 1975. This regulation shall not be construed as lessening any emission control requirement specified under EPA approved regulations or § 52.254. Degreasing operations using perchloroethylene or saturated halogenated hydrocarbons shall be exempt from the requirements of this section.

[38 FR 31249, Nov. 12, 1973, as amended at 42 FR 42226, Aug. 22, 1977; 47 FR 15586, Apr. 12, 1982; 47 FR 18856, May 3, 1982; 47 FR 19332, May 5, 1982; 47 FR 28622, July 1, 1982]

§ 52.253 Metal surface coating thinner and reducer.

(a) All terms defined in § 52.254 are used herein with the meanings so defined.

(b) This section is applicable in the Metropolitan Los Angeles, San Diego, Sacramento Valley, San Joaquin Valley, and San Francisco Bay Area Intrastate Air Quality Control Regions (the "Regions"), as described in 40 CFR Part 81, dated July 1, 1979, except as follows:

(1) In the following portions of the Sacramento Valley Intrastate Region, this section is either fully rescinded or partially rescinded subject to the conditions specified as follows:

(i) Sacramento County APCD.

(ii) Placer County APCD (Mountain Counties Air Basin portion).

(iii) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Yolo-Solano County Rule 2.25 submitted on February 25, 1980.

(iv) Yuba County APCD.

(v) Sutter County APCD.

(2) In the following portions of the Metropolitan Los Angeles Intrastate Region, this section is either fully rescinded or partially rescinded subject to the conditions specified as follows:

(i) This section is fully rescinded for the Ventura County APCD.

(ii) This section is rescinded for magnet wire insulators, can and coil coaters, metal parts coaters, and auto assembly line coaters which are subject to and in full compliance with Rules 1107, 1115, 1125, and 1126 in the South Coast AQMD.

(iii) This section is rescinded for metal parts coaters that are subject to and in full compliance with Rule 330 submitted on October 18, 1979, in the Santa Barbara County APCD.

(3) In the following portions of the San Joaquin Valley Intrastate Region, this section is rescinded for certain sources subject to the conditions specified:

(i) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Kern County Rule 410.4, submitted on October 15, 1979.

(ii) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Madera County APCD's Rule 410.4 submitted on October 10, 1980.

(iii) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Merced County Rule 409.4 submitted on October 10, 1980.

(iv) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with San Joaquin County Rule 409.4 submitted on October 10, 1980.

(v) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Stanislaus County Rule 410.4 submitted on October 10, 1980.

(vi) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Tulare County Rule 410.4 submitted on October 10, 1980.

(vii) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Kings County Rule 410.4 submitted on October 10, 1980.

(viii) This section is rescinded for metal parts and products coaters which are subject to and in full compliance with Fresno County Rule 40
submitted on October 15, 1979.

(4) In the San Francisco Bay A
Intrastate Region this section is
scinded for certain operations, subj
to the conditions specified below:

(i) This section is rescinded
metal container, closure and coil co
ing operations, light and medium-du
motor vehicle assembly plants, la
appliance and metal furniture coate
and miscellaneous metal parts
products coating operations, which
subject to and in full compliance w
Rules 11, 13, 14, and 19 of Regulat
8 in the Bay Area AQMD.

(5) In the San Diego Intrast
Region, this section is rescinded:

(i) This section is rescinded
metal parts and products coat
which are subject to and in full co
pliance with San Diego APCD R
67.3, submitted on October 25, 1979.

(c) The composition of the organ
in all metal surface coating thinn
and reducers that are manufactu
after January 1, 1975, and are used
the Regions, shall conform to pa
graph (k) of § 52.254 so as to be
fined as a nonphotochemically re
tive solvent.

(d) After July 1975, the compositi
of the organics in all metal surf
coating thinners and reducers that
used in the Regions, shall conform
paragraph (k) of § 52.254 so as to
defined as a non-photochemically
active solvent.

(e) If there is an inadequate supp
of necessary solvent ingredie
needed in the manufacture of me
surface coating thinners and reduc
for the purpose of meeting the comp
sition requirements of this section
the time constraint required by t
section; then evidence of such a supp
inadequacy must be presented to t
Administrator by the manufactur
of the metal surface coating thinn
and reducers, so that the Administ
tor may grant to the industry an
propriate implementation time ext
sion for meeting the requirements
this section, if and as warranted
the evidence presented.

[38 FR 31249, Nov. 12, 1973, as amended
42 FR 28123, June 2, 1977; 46 FR 5979, J
21, 1981; 46 FR 42461, Aug. 21, 1981; 47

Mar. 19, 1982; 47 FR 15586, Apr. 12,
7 FR 18856, May 3, 1982; 47 FR
May 5, 1982; 47 FR 19698, May 7,
7 FR 24308, June 4, 1982; 47 FR
uly 1, 1982]

Organic solvent usage.

This section is applicable in the
nento Valley, San Francisco Bay
and San Joaquin Valley Intra-
Air Quality Control Regions (the
ons"), as described in 40 CFR
1, dated July 1, 1979, except as
s:

In the following portions of the
oaquin Valley Region, only the
emission limitations contained
agraphs (b), (c), and (d) of this
n are in effect; the following
raphs, needed for interpretation
lso in effect: Paragraphs (e)
gh (l) and (o) through (q) of this
n. In addition, this section is en-
rescinded for specific operations
me of the counties noted below:
This section is rescinded entirely
etal parts and products coaters
are subject to and in full com-
ce with Rule 409.4 for the Fresno
ty APCD, Rule 410.4 for the
County APCD, Rule 410.4 for
Madera County APCD, Rule 409.4
he Merced County APCD, Rule
for the San Joaquin County
D, Rule 409.4 for the Stanislaus
ty APCD, and Rule 410.4 for the
re County APCD.
Kern County APCD. This section
scinded entirely for metal parts
product coaters which are subject
nd in full compliance with Rule
.

) Fresno County APCD.
) San Joaquin County APCD.
Madera County APCD.
) Merced County APCD.

In the following portions of the
Joaquin Valley Region, only the
ly emission limitations contained
aragraphs (b), (c), and (d) of this
on and the architectural coatings
solvent disposal emission limita-
s contained in paragraphs (m) and
of this section are in effect; the fol-
ng paragraphs, needed for inter-
ation and enforcement of these
sion limitations, are also in effect:
agraphs (e) through (l) and (o)
ough (q) of this section.

) Kings County APCD.

(3) In the following portions of the Sacramento Valley Region, this section is rescinded:

(i) Sacramento County APCD.

(ii) Yolo-Solano APCD.

(iii) Shasta County APCD.

(iv) Placer County APCD (Mountain Counties Air Basin portion).

(v) Yuba County APCD.

(vi) Sutter County APCD.

(vii) El Dorado County (Mountain Counties Air Basin portion).

(4) This section is rescinded for the San Francisco Bay Area Intrastate Region except for paragraph (d), which is retained until December 31, 1982 for sources constructed prior to October 2, 1974. The following paragraphs, needed for interpretation and enforcement of paragraph (d) are also in effect: Paragraphs (e) through (l) and (o) through (q) of this section.

(5) In the following portions of the Sacramento Valley Intrastate Region, paragraph (m) of this section is rescinded.

(i) Butte County APCD.

(ii) Sutter County APCD.

(b) No person shall discharge into the atmosphere more than 15 pounds of organic materials in any 1 day or more than 3 pounds in any 1 hour from any article, machine, equipment, or other contrivance in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured, or heat-polymerized in the presence of oxygen, unless said discharge has been reduced by at least 85 percent. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing continuous web, strip, or wire that emit organic materials in the course of using operations described in this section shall be collectively subject to compliance with this section.

(c) A person shall not discharge to the atmosphere more than 40 pounds of organic materials in any 1 day or more than 8 pounds in any 1 hour from any article, machine, equipment, or other contrivance used under conditions other than those described in paragraph (b) of this section for employing or applying any photochemically reactive solvent, as defined in paragraph (k) of this section, or material containing such photochemically reactive solvent, unless said discharge has been reduced by at least 85 percent. Emissions of organic materials into the atmosphere resulting from air- or heated-drying of products for the first 12 hours after their removal from any article, machine, or other contrivance described in this section shall be included in determining compliance with this paragraph. Emissions resulting from baking, heat-curing, or heat-polymerizing as described in paragraph (b) of this section shall be excluded from determination of compliance with this section. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip, or wire that emit organic materials in the course of using operations described in this section shall be collectively subject to compliance with this section.

(d) A person shall not, after August 31, 1976, discharge into the atmosphere more than 3,000 pounds of organic materials in any 1 day or more than 450 pounds in any 1 hour from any article, machine, equipment, or other contrivance in which any nonphotochemically reactive organic solvent or any material containing such a solvent is employed or applied, unless said discharge has been reduced by at least 85 percent. Emissions of organic materials into the atmosphere resulting from air- or heated-drying of products for the first 12 hours after their removal from any article, machine, equipment, or other contrivance described in this section shall be included in determining compliance with this section. Emissions resulting from baking, heat-curing, or heat-polymerizing as described in paragraph (b) of this section shall be excluded from determination of compliance with this section. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip, or wire that emit organic materials in the course of using operations described in this section shall be collectively subject to compliance with this section.

(e) Emissions of organic materials to the atmosphere from the cleaning with photochemically reactive solvent, as defined in paragraph (k) of this tion, of any article, machine, equ ment, or other contrivance descri in paragraph (b), (c), or (d) of this tion, shall be included with the ot emissions of organic materials for termining compliance with this rule

(f) Emissions of organic mater into the atmosphere required to controlled by paragraph (b), (c), or of this section, shall be reduced by:

(1) Incineration, provided that percent or more of the carbon in organic material being incinerated oxidized to carbon dioxide, or

(2) Adsorption, or

(3) Processing in a manner det mined by the Administrator to be less effective than the methods o lined in paragraph (f) (1) or (2) of t section.

(g) A person incinerating, adsorbi or otherwise processing organic ma rials pursuant to this section shall p vide, properly install and maintain calibration, in good working order a in operation, devices as specified in t authority to construct or permit to o erate, or as specified by the Admin trator, for indicating temperatu pressures, rates of flow, or other op ating conditions necessary to det mine the degree and effectiveness air pollution control.

(h) Any person using organic s vents or any materials containing ganic solvents shall supply the Adm istrator upon request and in t manner and form prescribed by hi written evidence of the chemical co position, physical properties, a amount consumed for each orga solvent used.

(i) The provisions of this secti shall not apply to:

(1) The manufacture of organic s vents, or the transport or storage organic solvents or materials contai ing organic solvents.

(2) The use of equipment for whi other requirements are specified rules or which are exempted from pollution control requirements by a plicable rules affecting the storage petroleum products, effluent oil-wat separators, and the transfer of gas line.

e spraying or other employ-
nsecticides, pesticides, or her-

e employment, application,
on, or drying of saturated
ted hydrocarbons or perch-
ene.
e use of any material in any
achine, equipment, or other
ce described in paragraph
l), or (e) of this section, if:
volatile content of such ma-
onsists only of water and or-
vent, and
e organic solvents comprise
than 20 percent by volume of
tile content, and
e volatile content is not pho-
ally reactive as defined in
h (k) of this section, and
e organic solvent or any mate-
taining organic solvent does
e into contact with flame.

t stipulation applies only for
ticles, machines, equipment,
ivances that are constructed
fied after the effective date of
ion.
e use of any material in any
machine, equipment or other
nce described in paragraph
d), or (e) of this section, if:
e organic solvent content of
terial does not exceed 30 per-
volume of said material; this
fective until January 1, 1977.
nuary 1, 1977, the organic sol-
ntent of such material must
eed 20 percent by volume of
terial.
e volatile content is not photo-
lly reactive as defined in para-
) of this section, and
he organic solvent or any ma-
ontaining organic solvent does
e into contact with flame. This
oulation applies only for those
machines, equipment, or con-
s that are constructed or modi-
er the effective date of this sec-

r the purposes of this section,
solvents include diluents, thin-
nd reducers and are defined as
materials that are liquids at
d conditions and are used as
ers, viscosity reducers, or clean-
nts, except that such materials
ing a boiling point higher than 220° F at 0.5 millimeter mercury absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 220° F.

(k) For the purpose of this section, a photochemically reactive solvent is any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

(1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cycloolefinic type of unsaturation; 5 percent;

(2) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenzene, phenyl acetate, and methyl benzoate; 8 percent;

(3) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

(l) For the purpose of this section, organic materials are defined as chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbonates, and ammonium carbonate.

(m) Architectural coatings and their use shall conform to the following requirements, on or before January 1, 1975:

(1) A person shall not sell or offer for sale or use in the areas in which this section applies, in containers of 1-quart capacity or larger, any architectural coating containing photochemically reactive solvent, as defined in paragraph (k) of this section.

(2) A person shall not employ, apply, evaporate, or dry in the areas in which this section applies, any architectural coating purchased in containers of 1-quart capacity or larger containing

photochemically reactive solvent, as defined in paragraph (k) of this section.

(3) A person shall not thin or dilute any architectural coating with a photochemically reactive solvent, as defined in paragraph (k) of this section.

(4) For the purpose of this section, an architectural coating is defined as a coating used for residential or commercial buildings and their appurtenances, or for industrial buildings.

(n) A person shall not during any one day dispose of a total of more than 1.5 gallons of any photochemically reactive solvent as defined in paragraph (k) of this section, or of any material containing more than 1.5 gallons of any such photochemically reactive solvent by any means that will permit the evaporation of such solvent into the atmosphere.

(o) *Compliance schedule.* (1) Except where other final compliance dates are provided in this section, the owner or operator of any stationary source subject to this section shall comply with this section on or before March 31, 1974. In any event:

(i) Any owner or operator in compliance with this section on the effective date of this section shall certify such compliance to the Administrator no later than 120 days following the effective date of this section.

(ii) Any owner or operator who achieves compliance with this section after the effective date of this section shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(p) Any owner or operator of a stationary source subject to paragraph (o)(1) of this section may, not later than 120 days following the effective date of this section, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with the provisions in paragraph (o)(1) of this section as expeditiously as practicable but no later than July 31, 1975. The compliance schedule shall provide for increments of progress toward compliance. The dates for achievement of such increments of progress shall be specified. Increments of progress shall include, but not be limited to: Submittal of a final control plan to the Administrator; letting of necessary contracts for construction or process changes or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification and final compliance.

(q) Any owner or operator who submits a compliance schedule pursuant to this section shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

[38 FR 31249, Nov. 12, 1973]

EDITORIAL NOTE: For Federal Register citations affecting § 52.254, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.255 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Metropolitan Los Angeles and Sacramento Valley Intrastate Air Quality Control Regions, as described in 40 CFR Part 81, dated July 1, 1979, with the following exceptions:

(1) The control requirements of this section are limited to facilities with a total throughput less than 20,000 gallons per day, the refilling of delivery vessels at these facilities, and storage containers serviced by these facilities for those air pollution control districts identified below.

(i) Ventura County APCD.

(2) The control requirements of this section are rescinded in the following air pollution control districts.

(i) South Coast AQMD.

(ii) Santa Barbara County APCD.

(iii) Placer County APCD (Mountain Counties Air Basin portion).

(iv) Sacramento County APCD.

(v) Yolo-Solano County APCD.

(vi) Butte County APCD.

(vii) Glenn County APCD.

iii) El Dorado County APCD
untain Counties Air Basin por-
).

) The control requirements of this
ion are rescinded in the following
pollution control districts:

) South Coast AQMD.
)-(viii) [Reserved]
x) Santa Barbara County APCD.
) Placer County APCD (Mountain
nties Air Basin portion).
i) Sacramento County APCD.
ii) Yolo-Solano County APCD.
iii) Butte County APCD.
iv) Glenn County APCD.

) No person shall transfer gasoline
n any delivery vessel into any sta-
ary storage container with a ca-
ity greater than 250 gallons unless
h container is equipped with a sub-
ged fill pipe and unless the dis-
ed vapors from the storage con-
er are processed by a system that
vents release to the atmosphere of
less than 90 percent by weight of
anic compounds in said vapors dis-
ed from the stationary container
tion.

) The vapor recovery portion of
system shall include one or more
he following:

) A vapor-tight return line from
storage container to the delivery
sel and a system that will ensure
t the vapor return line is connected
ore gasoline can be transferred into
container.

i) Refrigeration-condensation sys-
n or equivalent designed to recover
less than 90 percent by weight of
organic compounds in the dis-
ced vapor.

2) If a "vapor-tight vapor return"
tem is used to meet the require-
nts of this section, the system shall
so constructed as to be readily
pted to retrofit with an adsorption
tem, refrigeration-condensation
tem, or equivalent vapor removal
tem, and so constructed as to an-
ipate compliance with § 52.256.

3) The vapor-laden delivery vessel
ll be subject to the following condi-
ns:

i) The delivery vessel must be so de-
ned and maintained as to be vapor-
ht at all times.

ii) The vapor-laden delivery vessel
y be refilled only at facilities equipped with a vapor recovery system or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Facilities that do not have more than a 20,000 gallon per day throughput, and distribute less than 10% of daily volume to delivery vehicles that in turn service storage tanks that are required to have a vapor return or balance system, will not be required to comply with the provisions of paragraph (c) of this section before May 31, 1977. Facilities that service delivery vehicles that in turn deliver not more than 500,000 gallons per year to storage tanks that are required to comply with the provisions of paragraph (c) of this section will not be required to comply with the provisions of paragraph (c) of this section before January 1, 1977. Facilities that exclusively service storage tanks that do not have a required vapor return or balance system, will not be required to have a vapor recovery system.

(iv) Gasoline storage compartments of 1,000 gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until May 31, 1977.

(v) Storage containers served by delivery vessels filled at distribution facilities with extended compliance dates will not be required to comply with the provisions of paragraph (c) of this section until May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used primarily for the fueling of implements of husbandry, if such container is equipped by May 31, 1977 with a permanent submerged fill pipe, or at the time of installation for containers installed after this date.

(2) Any storage container having a capacity of 2,000 gallons or less and installed prior to July 1, 1975, if such container is equipped with a permanent submerged fill pipe by May 31, 1977.

(3) Transfer made to storage tanks equipped with floating roofs or their equivalent.

(4) Storage containers installed after July 1, 1975 in Kings County.

(5) Storage containers installed after January 1, 1975 in Madera County.

(e) Compliance schedule:

(1) June 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps that will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) March 1, 1975—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) May 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) July 1, 1976—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. If promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for a source to which the application of th compliance schedule in paragraph (of this section fails to satisfy the r quirements of §§ 51.261 and 51.262(of this chapter.

(h) Any gasoline-dispensing facilit subject to this section that installs storage tank after the effective date this section shall comply with the r quirements of paragraph (c) of th section by March 1, 1976 and prior that date shall comply with paragrap (e) of this section as far as possibl Any facility subject to this sectio that installs a storage tank aft March 1, 1976, shall comply with th requirements of paragraph (c) of th section at the time of installation.

[38 FR 31251, Nov. 12, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER tations affecting § 52.255, see the List CFR Sections Affected in the Finding A section of this volume.

§ 52.256 Control of evaporative los from the filling of vehicular tanks.

(a) "Gasoline" means any petroleu distillate having a Reid vapor pressu of 4 pounds or greater.

(b) This section is applicable in th Metropolitan Los Angeles and Sacr mento Valley Intrastate Air Quali Control Regions, except as follows:

(1) In the following portions of th Metropolitan Los Angeles Intrasta Region, this section is rescinded.

(i) South Coast AQMD.

(ii) Santa Barbara County APCD.

(2) In the following portions of th San Joaquin Valley Intrastate Regio this section is rescinded.

(i) Kings County APCD.

(3) In the following portion of th Sacramento Valley Intrastate Regio this section is rescinded.

(i) Sacramento County APCD.

(ii) El Dorado County APCD (Mou tain Counties Air Basin portion).

(iii) Placer County APCD (Mountai Counties Air Basin portion).

(c) A person shall not transfer gas line to an automotive fuel tank from gasoline dispensing system unless th transfer is made through a fill noz designed to:

(1) Prevent discharge of hydroca bon vapors to the atmosphere from

her the vehicle filler neck or dis-
sing nozzle;

2) Direct vapor displaced from the
omotive fuel tank to a system
erein at least 90 percent by weight
the organic compounds in displaced
ors are recovered; and

3) Prevent automotive fuel tank
rfills or spillage on fill nozzle dis-
nect.

d) The system referred to in para-
ph (c) of this section can consist of
apor-tight vapor return line from
fill nozzle/filler neck interface to
dispensing tank or to an adsorp-
, absorption, incineration, refriger-
n-condensation system or its equiv-
nt.

e) Components of the systems re-
red by paragraph (c) of § 52.255 can
used for compliance with para-
ph (c) of this section.

) If it is demonstrated to the satis-
tion of the Administrator that it is
ractical to comply with the provi-
s of paragraph (c) of this section
result of vehicle fill neck configu-
on, location, or other design fea-
s for a class of vehicles, the provi-
s of this paragraph shall not apply
uch vehicles. However, in no case
ll such configuration exempt any
oline dispensing facility from in-
ling and using in the most effective
ner a system required by para-
ph (c) of this section.

) Compliance schedule:

) January 1, 1975—Submit to the
inistrator a final control plan,
ch describes at a minimum the
s that will be taken by the source
chieve compliance with the provi-
s of paragraph (c) of this section.

) March 1, 1975—Negotiate and
all necessary contracts for emis-
control systems, or issue orders
the purchase of component parts
ccomplish emission control.

) May 1, 1975—Initiate on-site con-
ction or installation of emission
trol equipment. Compliance with
requirements of paragraph (c) of
section shall be as soon as practi-
e, but no later than specified in
graphs (g) (4) and (5) of this sec-
.

) May 1, 1977—Complete on-site
struction or installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph (g) shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 1, 1975. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. If promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(j) Any gasoline dispensing facility subject to this section that installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section that installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 31251, Nov. 12, 1973, as amended at 39 FR 4881, Feb. 8, 1974; 39 FR 21053, June

18, 1974; 46 FR 5979, Jan. 21, 1981; 46 FR 60203, Dec. 9, 1981; 47 FR 19332, May 5, 1982; 47 FR 19698, May 7, 1982; 47 FR 28622, July 1, 1982; 47 FR 29538, July 7, 1982; 51 FR 40676, Nov. 7, 1986]

EDITORIAL NOTE: The compliance dates given in paragraphs (g) (1) through (3) were deferred indefinitely at 40 FR 1127, Jan. 6, 1975.

§§ 52.257—52.262 [Reserved]

§ 52.263 Priority treatment for buses and carpools—Los Angeles Region.

(a) Definitions: (1) "Carpool" means a vehicle containing three or more persons.

(2) "Bus/carpool lane" means a lane on a street or highway open only to buses (or to buses and carpools), whether constructed especially for that purpose or converted from existing lanes.

(3) "Preferential treatment" for any class of vehicles, means either the setting aside of one traffic lane for the exclusive use of such vehicles or other measures (for example, access metering or setting aside the entire street), which the Administrator finds would be at least equal in VMT reduction effect to the establishment of such a lane.

(b) This regulation is applicable in the Metropolitan Los Angeles Intrastate Air Quality Control Region (the "Region").

(c) On or before May 31, 1974, the State of California, through the State Department of Transportation or through other agencies to which legal authority has been delegated, shall establish the following system of bus/carpool lanes.

(1) Ventura/Hollywood Corridor—a concurrent flow exclusive bus/carpool lane from Topanga Canyon Boulevard, Woodland Hills (U.S. 101) to junction of the Hollywood Freeway, and contraflow on the Hollywood Freeway (U.S. 101) from the junction with Ventura Freeway in North Hollywood to Vermont Avenue, and bus preferential treatment on arterial surface streets from Vermont Avenue to the Los Angeles central business district (CBD).

(2) Harbor Freeway Corridor—contraflow on Harbor Freeway (California 11) from vicinity of Pacific Coast Highway, in Wilmington, to junction of Santa Monica Freeway (I-10), then by surface street preferential treatment to LA/CBD.

(3) Wilshire Corridor—surface street preferential bus treatment from vicinity of San Vincente Boulevard, to LA/CBD.

(4) San Bernardino Freeway Corridor-Bus/carpool lane, either contraflow, or concurrent flow on San Bernardino Freeway from El Monte terminus of existing San Bernardino Freeway bus lane (I-10), to vicinity of Ontario Airport.

(5) Priority Treatment in CBD—provide preferential treatment in CBD on surface streets to connect Wilshire and San Bernardino corridors.

(d) On or before May 31, 1976, the State of California, through the State Department of Transportation or other agencies to which legal authority has been delegated, shall establish the following system of bus and bus/carpool lanes:

(1) Contraflow lane on the Golden State Freeway (I-5) from junction of Ventura Freeway (California 134) in Los Angeles to San Bernardino Freeway (I-10).

(2) Contraflow on Pasadena Freeway (California 11) from terminus in City of Pasadena to Hollywood Freeway (U.S. 101).

(3) Contraflow on Pomona Freeway from San Gabriel Freeway (I-605) to Santa Ana Freeway (I-5).

(4) Concurrent flow in San Diego Freeway (I-405) from Ventura Freeway (U.S. 101) in Sherman Oaks to Newport Freeway (California 55), Costa Mesa.

(5) Concurrent flow on Long Beach Freeway (California 7) from Sant Ana Freeway (I-5), City of Commerc to San Diego Freeway (I-405), Lon Beach.

(6) Artesia Freeway (California 91 from Santa Ana Freeway (I-5) to Lon Beach Freeway (California 7), Lon Beach.

(e) State III will include specif routes in other portions of the Regio

(f) On or before December 31, 197 the State of California shall submit the Administrator a compliance sche ule showing the steps it will take to e tablish the system of bus/carpoo lanes required by paragraphs (c) an

) of this section, with each schedule
include the following:

(1) A schedule for the establishment
the lanes. The schedule for the
nes required by paragraph (d) of this
ction shall provide for the first such
ne to be set aside no later than June
1974.

2) Bus/carpool lanes must be promi-
ntly indicated by overhead signs at
propriate intervals and at each
ersection of entry ramps.

3) Bus/carpool lanes must be promi-
ntly indicated by distinctive paint-
pylon, or physical barriers.

4) Vehicles using a bus/carpool lane
ll have the right of way when
ssing other portions of the road to
er or leave such lanes.

5) At a minimum, the bus/carpool
es so set aside shall operate from
a.m. to 9:30 a.m. and from 3:30 to
a.m. each weekday.

g) No deviation from the system of
/carpool lanes required under
agraphs (c) and (d) of this section
ll be permitted except upon appli-
on made by the State of California
the Administrator at the time of
mittal of compliance schedules and
roved by him, which application
t contain a satisfactory designa-
of alternate routes for the estab-
ment of such lanes.

FR 31254, Nov. 12, 1973]

.264—52.266 [Reserved]

267 Maintenance of national standards.

) The areas listed below, which
identified by the State of Califor-
are hereby identified by the Ad-
strator under § 51.110(h) and (i)
aving the potential for violation of
specified air quality standards
in 10 years. The identified areas
ist of the territorial area encom-
ed by the boundaries of the given
dictions or described area includ-
the territorial area of all munici-
ies (as defined in section 302(f) of
Clean Air Act, 42 U.S.C. 1857h(f))
raphically located within the out-
st boundaries of the area so de-
ed.

Sacramento Valley Air Quality
tenance Area.

(i) Pollutants for which the area is identified: Carbon monoxide and photochemical oxidants.

(ii) Geographical compostion of area:

Sacramento County.
Yolo County.
That portion of Solano County lying in the Sacramento Valley Air Basin, as defined in the plan.
That portion of Placer County lying west of the easterly line of Range 7 East, and that portion of Placer County lying south of the northerly line of Township 11 North, Mount Diablo Base and Meridian.

(2) San Diego Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, carbon monoxide, and photochemical oxidants.

(ii) Geographic composition of area: Portion of San Diego County lying in the San Diego Air Basin, as defined in the plan.

(3) San Francisco Bay Area Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

Alameda County.
Contra Costa County.
Marin County.
Napa County.
San Francisco County.
San Mateo County.
Santa Clara County.
Those portions of Solano and Sonoma Counties lying in the San Francisco Bay Area Air Basin, as defined in the plan.

(4) San Joaquin and Stanislaus Counties Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

San Joaquin County.
Stanislaus County.

(5) Fresno County Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Fresno County.

(6) Kern County Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, photochemical oxidants and carbon monoxide.

(ii) Geographical composition of area:

That portion of Kern County lying in the San Joaquin Valley Air Basin, as defined in the plan.

(7) Tulare County Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Tulare County.

(8) South Coast Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, carbon monoxide, photochemical oxidants, and nitrogen dioxide.

(ii) Geographical composition of area:

Orange County.
Ventura County.
Those portions of Los Angeles, Riverside, San Bernardino, and Santa Barbara Counties lying in the South Coast Air Basin, as defined in the plan.

(9) Southeast Desert Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Photochemical oxidants.

(ii) Geographical composition of area:

Coachella Valley portion of Riverside County, and that portion of San Bernardino County in the Southeast Air Basin lying south of latitude 35°10′ N and west of longitude 115°45′ W.

[40 FR 41948, Sept. 9, 1975, as amended at 46 FR 3886, Jan. 16, 1981; 51 FR 40676, Nov. 7, 1986]

§ 52.268 [Reserved]

§ 52.269 Control strategy and regulations: Photochemical oxidants (hydrocarbons) and carbon monoxide.

(a) The requirements of Subpart G of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) and carbon monoxide in the San Francisco Bay Area, San Diego, Sacramento Valley, San Joaquin Valley, and Southeast Desert Intrastate Regions by May 31, 1975.

(b) The following regulatory changes represent a relaxation of previously submitted regulations, and an adequate control strategy demonstration has not been submitted showing that the relaxation would not interfere with the attainment and maintenance of the national standards for photochemical oxidants.

(1) Mountain Counties Intrastate Region.

(i) Calaveras County APCD.

(A) The revocation of Rule 412, Organic Liquid Loading, is disapproved; Rule 412 submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(B) The revocation of Rule 413, Effluent Oil Water Separators, is disapproved; and Rule 413 submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(ii) Tuolumne County APCD.

(A) The revocation of Rule 413, Organic Liquid Loading, is disapproved and Rule 413 submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(B) The revocation of Rule 414, Effluent Oil Water Separators, is disapproved; and Rule 414 submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(C) The revocation of Rule 413, Organic Liquid Loadings, submitted February 10, 1977, is disapproved; and the previously aproved Rule 413 submitted on June 30, 1972 remains in effect.

(D) The revocation of Rule 414, Effluent Oil Water Separators, submitted on February 10, 1977, is disapproved; and the previously approved

414 submitted on June 30, 1972,
ins in effect.
i) San Joaquin Valley Intrastate
on.
Stanislaus County APCD.
Rule 411.1, submitted on Novem-
, 1977, is disapproved. Rule 411.1
itted on April 21, 1976 remains in
t.
Merced County APCD.
Rule 411.1, submitted on Novem-
, 1977, is disapproved. Rule 411.1,
itted on August 2, 1976, remains
fect.
) Fresno County APCD.
Rules 411.1, Gasoline Transfer
Vehicle Fuel Tanks, submitted on
mber 4, 1977, is disapproved; and
411.1 submitted on April 21, 1976,
previously approved under 40
52.223, is retained.
) Tulare County APCD.
) Section 412.1, Transfer of Gaso-
Into Vehicle Fuel Tanks, submit-
on October 13, 1977, is disap-
ed; and Section 412.1, submitted
pril 21, 1976, and previously ap-
ed under 40 CFR 52.223, is re-
ed.
Madera County APCD.
) Rule 412.1, Transfer of Gasoline
Stationary Storage Containers,
itted on October 13, 1977, is dis-
oved; and Rules 411, Gasoline
age and 411.1, Transfer of Gaso-
Into Stationary Storage Contain-
submitted on June 30, 1972, and
l 10, 1976, respectively, and previ-
y approved under 40 CFR 52.223
etained.
) San Joaquin County APCD.
) Rule 411.2, Transfer of Gasoline
Vehicle Fuel Tanks, submitted on
ember 4, 1977, is disapproved; and
411.2, submitted on February 10,
and previously approved under 40
52.223, is retained.
) Sacramento Valley intrastate
on:
Sacramento County APCD.
) Rule 13 submitted on November
77, is disapproved.
) Southeast Desert Intrastate
R.
Los Angeles County APCD.
) Regulation IV, rule 465, Vacuum
ducing Devices or Systems, submit-
on June 6, 1977, is disapproved.
e 74 with the same title, submitted
on June 6, 1977, is disapproved. Rule 69 with the same title, submitted on June 30, 1972 and approved under 40 CFR 52.223, is retained.

(ii) Riverside County APCD.

(A) Regulation IV, rule 465, Vacuum Producing Devices or Systems, submitted on June 6, 1977, is disapproved. Rule 74 with the same title, submitted on June 30, 1972 and approved under 40 CFR 52.223, is retained.

(B) Rule 461, Gasoline Transfer and Dispensing, submitted November 4, 1977, is disapproved. The version of this rule submitted on April 21, 1977 (same number and title), which was previously approved in 40 CFR 52.223, is retained.

(4) Great Basin Valleys Intrastate Region.

(i) Great Basin Unified APCD.

(A) Rule 418 submitted on November 4, 1977, is disapproved. Rule 418 submitted on April 21, 1976 remains in effect.

(B) Rule 419, Gasoline Loading into Stationary Tanks, submitted on June 22, 1978, is disapproved, and rule 419, submitted April 21, 1976, and previously approved in 40 CFR 52.223, is retained.

(c) The following rules and regulations are disapproved because they represent a relaxation of promulgated EPA regulations, and an adequate control strategy demonstration has not been submitted showing that the relaxation would not interfere with the attainment and maintenance of the national standrds for photochemical oxidants:

(1) Sacramento Valley Intrastate AQCR.

(i) Yolo-Solano APCD.

(A) Rules 2.21(b)(1), 2.21(b)(2), 2.21(b)(4), 2.21(b)(5) and 2.21(b)(6), submitted on June 6, 1977.

(d) Imperial County APCD Rule 415, Gasoline Loading from Tank Trucks and Trailers, submitted by the State on November 4, 1977 is approved as applicable to facilities installed after July 1, 1977. District Rule 125, Gasoline Loading into Tank Trucks and Trailers and Rule 129, Gasoline loading into Tanks, submitted on February 21, 1972 and previously approved under 40 CFR 52.223 are retained as part of the State implementation plan, as applicable to facilities installed prior to July 1, 1977.

(e) The emission reduction credits for the following control measures contained in Ventura County's 1982 Ozone nonattainment area plan, submitted by the Governor's designee on December 31, 1982, are disapproved since the control measures are of an intermittent and voluntary nature and are therefore not approvable under Sections 110(a)(2)(F)(v) and 123 of the Clean Air Act: R-38/N-16, "No Use Day"; R-39/N-17, "No Drive Day"; R-40, "No Spray Day"; R-41/N-18 "Stationary Source Curtailments."

[38 FR 16564, June 22, 1973. Redesignated at 40 FR 3767, Jan. 24, 1975]

EDITORIAL NOTE: For Federal Register citations affecting § 52.269, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.270 Significant deterioration of air quality.

(a) With the exception of the areas listed in paragraph (b) of this section:

(1) The requirements of Sections 160 through 165 of the Clean Air Act are not met in California.

(2) The plan does not include approvable procedures for preventing the significant deterioration of air quality.

(3) The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of California.

(b) *District PSD Plans.* (1) The PSD rules for the Sacramento County Air Pollution Control District are approved under Part C, Subpart 1, of the Clean Air Act. However, EPA is retaining authority to apply § 52.21 in certain cases. The provisions of § 52.21 (b) through (w) are therefore incorporated and made a part of the state plan for California for the Sacramento County Air Pollution Control District for:

(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under § 52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources or major modifications under § 52.21 and which would either have stacks taller than 65 meters or would use "dispersion techniques" as defined in § 51.1.

(iii) Sources for which EPA has issued permits under § 52.21, including the following permit and any others for which applications are received by June 19, 1985.

Procter & Gamble, SAC 83-01, 5/6/83.

(2) The PSD rules for the North Coast Unified Air Quality Management District are approved under Part C, Subpart 1, of the Clean Air Act. However, EPA is retaining authority to apply § 52.21 in certain cases. The provisions of § 52.21 (b) through (w) are therefore incorporated and made a part of the state plan for California for the North Coast Unified Air Quality Management District for:

(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under § 52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources of major modifications under § 52.21 and which would either have stacks taller than 65 meters or would use "dispersion techniques" as defined in § 51.1.

(iii) Sources for which EPA has issued permits under § 52.21, including the following permits and any others for which applications are received by July 31, 1985;

(A) Arcata Lumber Co. (NC 78-01; November 8, 1979),

(B) Northcoast Paving (NC 79-03; July 5, 1979),

(C) PG&E Buhne Pt. (NC 77-05).

(3) The PSD rules for the Mendocino County Air Pollution Control District are approved under Part C, Subpart 1, of the Clean Air Act. However, EPA is retaining authority to apply § 52.21 in certain cases. The provisions of § 52.21 (b) through (w) are therefore incorporated and made a part of the state plan for California for the Mendocino County Air Pollution Control District for:

(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under § 52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources or major modifica-

s under § 52.21 and which would
er have stacks taller than 65
ers or would use "dispersion tech-
ues" as defined in § 51.1.
i) Any sources for which EPA has
ed permits under § 52.21, including
permits for which applications are
eived by July 31, 1985.
) The PSD rules for the Northern
oma County Air Pollution Control
rict are approved under Part C,
part 1, of the Clean Air Act. How-
, EPA is retaining authority to
ly § 52.21 in certain cases. The pro-
ons of § 52.21 (b) through (w) are
refore incorporated and made a
of the state plan for California
the Northern Sonoma County Air
lution Control District for:
) Those cogeneration and resource
overy projects which are major sta-
ary sources or major modifications
ler § 52.21 and which would cause
ations of PSD increments.
i) Those projects which are major
ionary sources or major modifica-
s under § 52.21 and which would
ner have stacks taller than 65
ters or would use "dispersion tech-
ues" as defined in § 51.1.
ii) Any sources for which EPA has
ed permits under § 52.21, including
permits for which applications are
eived by July 31, 1985.

FR 25419, June 19, 1985, as amended at
R 30943, July 31, 1985]

.271 **Malfunction regulations.**

a) The following regulations are dis-
proved because they would permit
exemption of sources from the ap-
cable emission limitations and
refore do not satisfy the enforce-
nt imperatives of section 110 of the
an Air Act.
l) Amador County APCD.
) Rule 404, submitted on April 21,
6.
ii) Rule 4f, submitted on June 30,
2, and previously approved under
CFR 52.223 (37 FR 19812).
2) Bay Area APCD.
) Regulation 2, Section 3212, and
ulation 3, Section 3203, submitted
April 21, 1976.
ii) Regulation 2, Section 3212, sub-
tted on February 21, 1972, and pre-
usly approved under 40 CFR 52.223
FR 10842).

(3) Calaveras County APCD.

(i) Rules 110 and 402(f), submitted on July 25, 1973.

(ii) Rule 404, submitted on October 13, 1977.

(4) Colusa County APCD.

(i) Rule 4.4g, submitted on July 25, 1973, and Rule 4.4g, submitted on June 30, 1972, and previously appoved under 40 CFR 52.223 (37 FR 19812).

(5) Del Norte County APCD.

(i) Rule 540, submitted on November 10, 1976.

(ii) Rule 45, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(6) Fresno County APCD.

(i) Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(ii) Rules 110 and 402(f), submitted on October 23, 1974.

(7) Glenn County APCD.

(i) Rules 95.2 and 95.3, submitted on January 10, 1975.

(8) Great Basin Unified APCD.

(i) Rule 403, submitted on June 6, 1977.

(ii) Rule 617, submitted on November 4, 1977.

(9) Humboldt County APCD.

(i) Rule 540, Submitted on November, 10, 1976.

(ii) Rule 59, Submitted on February 21, 1972 and previously approved under 40 CFR 52.223 (37 FR 10842).

EDITORIAL NOTE: At 46 FR 27118, May 18, 1981, the following paragraph (a)(9) was added to § 52.271 and will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(9) Monterey Bay Unified APCD.

(i) Rule 214, submitted on March 4, 1980.

(ii) Rule 617, submitted on May 23, 1979.

(10) Kern County APCD.

(i) Rule 111, submitted on July 19, 1974.

(11) Kings County APDC.

(i) Rule 111, submitted on July 25, 1973, and Rule 111, submitted on July 30, 1972, and previously approved under 40 CFR 52.223.

(ii) Rule 111, submitted on November 4, 1977.

(12) Lake County APCD.

(i) Chapter III, Article I, Section 500, and Article II, Sections 510 and 511, submitted on February 10, 1977.

(ii) Part VI, Sections 1 and 2, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(13) Los Angeles County APCD.

(i) Rule 430, submitted on June 6, 1977.

(14) Madera County APCD.

(i) Rule 402(f), submitted on January 10, 1975, and Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(ii) Rule 110, submitted on January 10, 1975.

(15) Mariposa County APCD.

(i) Rule 203(j), submitted on January 10, 1975, and Rule 4.3(g), submitted on February 21, 1972, and previously approved under 40 CFR 52.223.

(ii) Rule 404, submitted on June 6, 1977.

(16) Mendocino County APCD.

(i) Rule 540, submitted on November 10, 1976.

(ii) Sections 1 and 2 of Part VI, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(17) Merced County APCD.

(i) Rule 109, submitted on August 2, 1976.

(ii) Rule 109, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(18) Nevada County APCD.

(i) Rule 55(f), submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(19) Northern Sonoma County APCD.

(i) Rule 540, submitted on November 10, 1976.

(20) Placer County APCD.

(i) Rule 55(f), submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(ii) Rule 404, submitted on October 13, 1977.

(21) Plumas County APCD.

(i) Rule 203(j), submitted on January 10, 1975.

(ii) Rule 404, submitted on June 6, 1977.

(22) Riverside County APCD.

(i) Rule 430, submitted on June 6, 1977.

(23) San Bernardino County APCD.

(i) Rule 430, submitted on June 1977.

(ii) Rule 55, submitted on Februar 21, 1972, and previously approve under 40 CFR 52.223 (37 FR 10842).

(24) San Joaquin County APCD.

(i) Rule 110, submitted on Octobe 23, 1974, and Rule 110, submitted o June 30, 1972, and previously approve under 40 CFR 52.223 (37 FR 19812).

(25) San Luis Obispo County APCD

(i) Rule 107, submitted on Novembe 10, 1976.

(ii) Rule 102, submitted on Februar 21, 1972, and previously approve under 40 CFR 52.223 (37 FR 10842).

(26) Shasta County APCD.

(i) Rule 3:10, submitted on July 1 1974.

(ii) Rule 3:10, submitted on June 3 1972, and previously approved unde 40 CFR 52.223 (37 FR 19812).

(27) Sierra County APCD.

(i) Rule 51, submitted on June 3 1972, and previously approved unde 40 CFR 52.223 (37 FR 19812), an Rule 203(j), submitted on January 1 1975, and previously approved unde 40 CFR 52.223 (42 FR 23805).

(ii) Rule 404, submitted on June 1977.

(28) Southern California APCD.

(i) Rule 430, submitted on Februar 10, 1977.

(29) Stanislaus County APCD.

(i) Rule 110, submitted on June 3 1972, and previously approved unde 40 CFR 52.223 (37 FR 19812), an Rule 110, submitted on July 19, 1974.

(30) Tehama County APCD.

(i) Rule 417, submitted on July 1 1974.

(ii) Rule 4:1g, submitted on June 3 1972, and previously approved unde 40 CFR 52.223 (37 FR 19812).

(31) Trinity County APCD.

(i) Rule 540, submitted on Novembe 10, 1976.

(ii) Rule 44, submitted on June 3 1972, and previously approved unde 40 CFR 52.223 (37 FR 19812).

(32) Tulare County APCD.

(i) Rules 111 and 402(f), submitte on November 10, 1976.

(33) Tuolumne County APCD.

(i) Rule 404, submitted on Februar 10, 1977, and Rule 402(f), submitted o June 30, 1972, and previously approve under 40 CFR 52.223.

4) Ventura County APCD.

) Rule 32, submitted on July 19, 4.

i) Rule 32, submitted on June 30, 2, and previously approved under CFR 52.223 (37 FR 19812).

35) Yuba County APCD.

) Rule 4.5, submitted on July 25, 3.

b) The following regulations are disproved since they lack explicit proions to assure that that NAAQS will t be exceeded while equipment eakdown periods are in effect.

1) Fresno County APCD.

i) Rules 110(B), *Variance Required,* d 519, *Emergency Variance,* submitd on January 2, 1979.

2) Kern County APCD.

l) Rules 111 (b), (*Equipment Breakwn*), and 519, *Emergency Variance,* bmitted on January 2, 1979.

3) Modoc County APCD.

i) Rule 2:15, *Breakdown Conditions; mergency Variances,* submitted on ay 7, 1979.

(4) Imperial County APCD.

(i) Rule 111 (B), *Equipment Breakown,* submitted on December 24, 979.

(ii) Rule 517, *Emergency Variance,* ubmitted on December 24, 1979.

3 FR 3277, Jan. 24, 1978]

EDITORIAL NOTE: For Federal Register citaons affecting § 52.271, see the List of CFR ections Affected in the Finding Aids secon of this volume.

52.272 Research operations exemptions.

(a) The requirements of § 51.281 of his chapter are not met because the ollowing regulations allow exemptions to be granted from the applicable emission limitations, thereby potentially rendering the applicable limitations unenforceable. Furthermore, he regulations are inconsistent with he Clean Air Act, because the regulations could permit violations of the National Ambient Air Quality Standards under some circumstances. Therefore, the following regulations are disapproved:

(1) Bay Area APCD.

(i) Regulation 2, Division 1, sections 1214 to 1214.3, submitted on July 25, 1973.

(ii) Regulation 3, Division 1, sections 1205 to 1205.3, submitted on July 25, 1973.

(2) El Dorado County APCD.

(i) Rule 203(D), submitted on November 4, 1977.

(3) Great Basin Unified APCD.

(i) Rule 423, submitted on November 4, 1977.

(4) Los Angeles County APCD.

(i) Rule 441, submitted on June 6, 1977.

(5) Placer County APCD.

(i) Rule 203(D), submitted on October 13, 1977.

(6) Riverside County APCD.

(i) Rule 441, submitted on June 6, 1977.

(7) Sacramento County APCD.

(i) Rule 30, submitted on January 22, 1974.

(8) San Bernardino County APCD.

(i) Rule 441, submitted on June 6, 1977.

(9) Southern California APCD.

(i) Rule 441, submitted on August 2, 1976.

[42 FR 42226, Aug. 22, 1977]

EDITORIAL NOTE: For Federal Register citations affecting § 52.272, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.273 Open burning.

(a) The following rules or portions of rules are disapproved because they contain exemptions to open burning (including open agricultural burning) prohibitions, that do not satisfy the requirements of section 110 of the Clean Air Act:

(1) Amador County APCD.

(i) Rules 308 and 312, submitted on April 21, 1976.

(ii) Rule 304, submitted on October 13, 1977.

(iii) Rules 302(G) and 322, submitted on October 15, 1979.

(2) Calaveras County APCD.

(i) Rules 304 and 322, submitted on October 13, 1977.

(3) Del Norte County APCD.

(i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.

(4) El Dorado County APCD.

(i) Rules 302(C), 304, 307, 319, and 322, submitted on November 4, 1977.

(ii) Rules 302 (C), 318, and 321, submitted on May 23, 1979.

(5) Fresno County APCD.

(i) Rules 416.1(e)(1), (e)(3), and (e)(4), submitted on October 23, 1974.

(ii) Rule 416.1(c)(1), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(6) Humboldt County APCD.

(i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.

(ii) (A)-(C) [Reserved]

(D) Rules 312 (B) and (C), and 401 (D.1) and (D.2).

(7) Kern County APCD.

(i) Rule 417(I)(A), submitted on November 10, 1976.

(8) Madera County APCD.

(i) Rules 416.1(e)(1), (e)(3), and (e)(4), submitted on January 10, 1975.

(ii) Rule 416.1(c)(1), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(9) Mariposa County APCD.

(i) Rules 302(C), 304, 319, and 322, submitted on June 6, 1977.

(10) Mendocino County APCD.

(i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.

(11) Merced County APCD.

(i) Rule 416(h), submitted on August 2, 1976.

(ii) Rules 416.1(III)(A), (V)(A), (V)(B), (V)(C), and (V)(D), submitted on August 2, 1976. (Rule 416.1(c)(2), submitted on June 30, 1972, and previously approved, is retained. Rule 416.1(a)(1), submitted on June 30, 1972, and previously approved, is retained for the purpose of enforcing Rule 416.1(c)(2).)

(12) Monterey Bay Unified APCD.

(i) Rules 409(a), 409(a)(5), and 410(b)(1), submitted on January 10, 1975.

(13) Nevada County APCD.

(i) Rules 302(C), 307, 314, and 322, submitted on April 10, 1975.

(ii) Rules 304 and 319, submitted on June 6, 1977.

(iii) Rule 307, submitted on October 15, 1979.

(14) Northern Sonoma County APCD.

(i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.

(15) Placer County APCD.

(i) Rules 302(C), 302(G), 304, 307, 314, 319, and 322, submitted on October 13, 1977.

(ii) Rules 303, 306, and 322, submitted on October 15, 1979.

(16) Plumas County APCD.

(i) Rule 314, submitted on January 10, 1975.

(ii) Rules 302(C), 304, 307, 319, and 322, submitted on June 6, 1977.

(17) Sacramento County APCD.

(i) Rule 96(a), submitted on November 10, 1976.

(ii) Rule 96(a), submitted on November 4, 1977.

(18) San Joaquin County APCD.

(i) Rule 402(e), submitted on November 10, 1976.

(ii) Rule 416.1(c)(1), submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(iii) Rules 416.1(D)(1) and (D)(2), submitted on October 23, 1974.

(19) Santa Barbara County APCD.

(i) Rules 40(4)(a) and 40(4)(1), submitted on July 25, 1973. (The analogous Rules 40(4)(a) and 40(4)(g), previously approved in the February 21, 1972 submittal, are retained.) Rule 40(4)(c), submitted on July 25, 1973, is also disapproved.

(ii) Rule 22, submitted on January 22, 1974. (The analogous Rule 22, previously approved in the February 21, 1972 submittal, is retained.) Rules 24.1 and 24.2, submitted on January 22, 1974, are also disapproved.

(20) Shasta County APCD.

(i) Rule 2:6, sections (1)(b)(iii) (a ,b, and d), (1)(c)(viii), 2(c), 3(f), 4(e), 5(c), and 5(d). (Previously approved Rule 2:6, sections (2)(c), (3)(f), and (4)(e), submitted on July 19, 1974, are retained.)

(21) Sierra County APCD.

i) Rules 302(C), 319, and 322, submitted on June 6, 1977.

22) Trinity County APCD.

i) Rule 410(c)(2) and the following rtions of Regulation 2: General probitions (all of page 1), paragraph (f) Article I, paragraphs (f) and (g) of ticle V, and paragraph (f) of Article submitted on November 10, 1976.

23) Tulare County APCD.

i) Rule 402(e), submitted on Novem- 10, 1976.

ii) Section 417(III)(A), submitted on ne 30, 1972, and previously approved der 40 CFR 52.223 (37 FR 19812).

iii) Section 417.1(e)(1), (e)(3), and (4), submitted on January 10, 1975.

24) Tuolumne County APCD.

i) Rule 322, submitted on February 1977.

25) Yolo-Solano APCD.

i) Rules 2.8(c) (4) and (5), 6.3, and (a), submitted on July 25, 1973.

ii) Rules 6.1(a), (e)(6), and (g), submitted on January 10, 1975. (Rules 4.1 and (g), submitted on February 21, 72, and previously approved under CFR 52.223, are retained.)

b) The following rules or portions rules are disapproved because they ax the control on open burning (inding agricultural burning) without ompanying analyses demonstrating t these relaxations will not intere with the attainment and maintence of the National Ambient Air ality Standards:

1) Del Norte County APCD.

) Regulation 2, Article I, paragraph submitted on November 10, 1976.

i) Rule 410(c)(2), submitted on May 979.

2) Fresno County APCD.

) Rule 416.1(c)(1), submitted on Ocer 23, 1974.

i) Rule 416.1(g), submitted on Nomber 4, 1977.

3) Humboldt County APCD.

) Regulation 2, Article I, paragraph submitted on November 10, 1976.

i) Rule 410(c)(2), submitted on May 979.

) Imperial County APCD.

) Rule 422, submitted on November 1977. (The requirements of Rule submitted on February 21, 1972, previously approved under 40 R 52.223, are retained as applicable he burning of wood waste.)

(ii) Regulation VII (Rules 701 to 706), submitted on November 4, 1977. (Regulation VII (Rules 200 to 206), submitted on July 25, 1973 and previously approved under 40 CFR 52.223, is retained.)

(5) Kings County APCD.

(i) Rules 416.1 and 417.1, submitted on November 4, 1977.

(6) Lake County APCD.

(i) Sections 435, 436, 1003, and 1200(A), submitted on February 10, 1977.

(ii) Section 435, submitted on January 2, 1979.

(7) Los Angeles County APCD.

(i) Rule 444, submitted on June 6, 1977. (Rules 57.1, 57.2, 57.3, and 57.4, submitted on June 30, 1972, and previously approved under 40 CFR 52.223, are retained.)

(8) Madera County APCD.

(i) Rule 416.1(c)(1), submitted on January 10, 1975.

(9) Mendocino County APCD.

(i) Regulation 2, Article I, paragraph (e), submitted on November 10, 1976.

(ii) Rule 410(c)(2), submitted on May 7, 1979.

(10) Merced County APCD.

(i) Rule 416.1(I)(A)(2), submitted on August 2, 1976.

(11) Northern Sonoma County APCD.

(i) Regulation 2, Article I, paragraph (e), submitted on November 10, 1976.

(ii) Rule 410(c)(2), submitted on may 7, 1979.

(12) San Bernardino County Desert APCD.

(i) Rule 444 and the definition of "Agricultural Burning" in Rule 102, submitted on November 4, 1977. (Rule 57, submitted on February 21, 1972, and previously approved under 40 CFR 52.223, is retained.)

(13) San Diego County APCD.

(i) Rules 102(e) and 103(g), submitted on October 13, 1977.

(14) San Luis Obispo County APCD.

(i) Rule 501(B), submitted on November 10, 1976, and Rule 501(A)(7), submitted on November 4, 1977. (Previously approved Rule 115(2), submitted on February 21, 1972, is retained.)

(15) Santa Barbara County APCD.

(i) Rules 2(b), 40(3), and 40(4)(e), submitted on July 25, 1973. (Analogous Rules 2(b), 40(3), and 40(4)(c), submitted on February 21, 1972, and previously approved, are retained.)

(16) Shasta County APCD.

(i) Rule 2:8, submitted on October 13, 1977. (Rule 2:8, submitted on July 19, 1974, and July 22, 1975, and previously approved, is retained.)

(17) Siskiyou County APCD.

(i) Rule 4.3(2), submitted on January 2, 1979.

(18) Trinity County APCD.

(i) Regulation 2, Article I, paragraph (e), submitted on November 10, 1976.

(ii) Rule 410(c)(2), submitted on May 7, 1979.

(19) Placer County APCD.

(i) Rule 316, submitted on August 21, 1979.

(ii) Rules 318 and 323, submitted on October 15, 1979.

[42 FR 41122, Aug. 15, 1977]

Editorial Note: For Federal Register citations affecting § 52.273, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.274 California air pollution emergency plan.

(a) Since the California Air Pollution Emergency Plan does not provide complete, implementable provisions for taking emission control actions necessary to prevent ambient pollutant concentrations from reaching significant harm levels, the requirements of Subpart H of this chapter for Priority I and II areas are not met, except in the following areas:

(1) South Coast Air Quality Management District (SCAQMD).

(2) Sacramento County Air Pollution Control District.

(3) Monterey Bay Unified APCD (MBUAPCD).

(4) Santa Barbara Air Quality Management Area portion of the Santa Barbara County Air Pollution Control District.

(5) Bay Area Air Quality Management District.

(6) Ventura County Air Pollution Control District.

(7) San Diego County APCD.

(8) Los Angeles County Air Pollution Control District.

(9) Riverside County Air Pollution Control District.

(10) San Bernardino County Desert Air Pollution Control District.

(11) Imperial County Air Pollution Control District.

(12) Fresno County Air Pollution Control District.

(13) Kern County Air Pollution Control District.

(b) The requirements of Subpart H of this chapter are met in the SCAQMD with the following exceptions: SCAQMD Regulation VII has no schedule to assure that the emission control actions are fully implementable; does not provide specific emission control actions for interdistrict coordination; has no provisions for nitrogen dioxide, particulate matter, and sulfur dioxide and particulate matter combined episodes; has no criteria or provisions to protect the eight-hour averaged carbon monoxide significant harm level; and has no provisions for implementation of abatement plans for stage 2 or 3 carbon monoxide or oxidant episodes that are attained without being predicted.

(c) Regulation for prevention of air pollution emergency episodes—plan scheduling, interdistrict coordination, episode criteria, and declaration.

(1) The requirements of this paragraph are applicable in the SCAQMD.

(2) The owner or operator of any governmental, industrial, business, or commercial activity listed in Rules 708.1 and 708.3 of Regulation VII of the SCAQMD, as revised on May 6, 1977, shall submit a Stationary Source Curtailment Plan and/or Traffic Abatement Plan to the Administrator within sixty days after the effective date of this paragraph.

(3) The plans submitted pursuant to the requirements of this paragraph, shall be reviewed by the Administrator for approval or disapproval according to the following schedule:

(i) For sources with emissions of hydrocarbons (HC) or nitrogen oxides (NO_x) greater than or equal to 454 metric tons (500 tons) per year, or for establishments employing 400 or more employees per shift, within 45 days after receipt.

(ii) For sources with emissions of HC or NO_x greater than or equal to 91 metric tons (100 tons) per year and less than 454 metric tons (500 tons) per year, or for establishments employing more than 200 and less than

0 employees per shift, within 90 ys after receipt.

(iii) For sources or establishments her than those addressed in para- aphs (c)(3) (i) through (ii) of this ction, within 180 days after receipt.

(4) The owner or operator of an in- strial, business, governmental or mmercial establishment required to bmit a plan by this paragraph shall notified by the Administrator ithin thirty days after the plan has een evaluated if the plan is disap- roved. Any plan disapproved by the dministrator shall be modified to vercome the disapproval and resub- itted to the Administrator within 30 ays of the receipt of the notice of dis- pproval.

(5) In the event specific sources or urce areas within the SCAQMD are etermined to significantly contribute a declared air pollution episode in a earby Air Pollution Control District, mission control actions specified in egulation VII of the SCAQMD, as re- ised on May 6, 1977, for that declared pisode stage shall be taken in the CAQMD to abate that episode.

(6) For the purposes of this para- aph, the following episode criteria hall apply to carbon monoxide con- entrations averaged over eight hours:

(i) For stage 1, 15 parts per million.

(ii) For stage 2, 30 parts per million.

(iii) For stage 3, 40 parts per million.

(7) The provisions of SCAQMD Reg- lation VII, as revised on May 6, 1977, elating to carbon monoxide episodes veraged over 12 hours shall apply to arbon monoxide episodes averaged ver 8 hours except that the Adminis- trator shall provide for declaration, otification, source inspections, and ermination of the episodes.

(8) Whenever the Administrator has etermined that the stage 2 or 3 epi- ode level for oxidant or carbon mon- xide as specified in Rule 703 of Regu- ation VII of the SCAQMD, as amended May 6, 1977, is being attained or has been attained, and is predicted to remain at such level for 12 or more hours, or increase, or in the case of oxidant to reoccur within the next 24 hours, unless control actions are taken, the existence of the appropriate episode level and the location of the source-receptor areas shall be declared, and the actions specified in Rules 710(b)(1), 710(b)(2), 711(b)(1), or 711(b)(2) shall be taken by the Administrator.

(d) Regulation for prevention of air pollution emergency episodes—nitrogen dioxide, particulate matter, and sulfur dioxide and particulate matter combined.

(1) The requirements of this paragraph are applicable in the SCAQMD.

(2) For the purposes of this regulation the following definitions apply:

(i) "Ppm" means parts per million by volume.

(ii) "COH" means coefficient of haze.

(iii) "Ugm^3" means micrograms per cubic meter.

(iv) "Administrator" means the Administrator of the Environmental Protection Agency or his authorized representative.

(v) "Major National Holiday" means a holiday such as Christmas, New Year's Day, or Independence Day.

(vi) "Source/Receptor Areas" are defined for each episode occurrence based on air monitoring, geographical, and meteorological factors: Source area is that area in which contaminants are discharged and a receptor area is that area in which the contaminants accumulate and are measured.

(vii) "Air Contaminants" means nitrogen dioxide, particulate matter, and/or sulfur dioxide and particulate matter combined.

(3) For the purposes of this regulation, the following episode criteria shall apply:

Contaminants	Averaging time (hours)	Stage 1	Stage 2	Stage 3
ogen dioxide	1	0.6 ppm	1.2 ppm	1.6 ppm
	24	0.15 ppm	0.3 ppm	0.4 ppm
ticulate matter	24	3.0 COH	5.0 COH	7.0 COH
	24	375 ugm^{-3}	625 ugm^{-3}	875 ugm^{-3}
fur dioxide and particulate matter combined	24	0.2[1]	0.8[1]	1.2[1]

Contaminants	Averaging time (hours)	Stage 1	Stage 2	Stage 3
	24	65,000[2]	261,000[2]	393,000[2].

[1] Product of sulfur dioxide (ppm) and particulate matter (COH).

[2] Product of sulfur dioxide (ugm^{-3}) and particulate matter (ugm^{-3}).

(4) Whenever the Administrator has determined that any episode level specified in paragraph (d)(3) of this section is being attained or has been attained, and is predicted to remain at such level for 12 or more hours, or increase, unless control actions are taken, the existence of the appropriate episode level and the location of the source-receptor areas shall be declared.

(5) Whenever the available scientific and meteorological data indicate that any episode level declared by paragraph (d)(4) of this section is no longer occurring and is not predicted to immediately increase again to episode levels, such episode shall be declared terminated.

(6) The following shall be notified by the Administrator whenever an episode is predicted, attained or terminated: (i) Public officials; (ii) persons operating any facility or activity named in paragraph (d)(8) of this section; (iii) public health, safety, and emergency agencies; (iv) news media.

(7) Upon request of the Administrator, persons operating any facility or activity named in paragraph (d)(8) of this section shall install, properly maintain, and operate radio-receiving equipment with decoding device capable of receiving broadcasts of the declaration and termination of episodes required under this paragraph and instructions as to the actions to be taken.

(8) Stationary source curtailment plans and traffic abatement plans shall be prepared by industrial, business, commercial, and governmental establishments as follows:

(i) The owner or operator of any industrial, business, commercial, or governmental activity listed below shall submit to the Administrator plans to curtail operations causing stationary source air contaminants in such activity:

(A) Petroleum refinery emitting 23 metric tons (25 tons) or more per year of air contaminants.

(B) Metal-melting plant requiring molten metal temperatures in excess of 540° C (1,000° F) or metal-refining plant or metal-smelting plant, in which a total of 1,135 kilograms (2,500 pounds) or more of metal are in a molten state at any one time or are poured in any 1 hour.

(C) Fossil fuel-fired electric generating facility having a total rated capacity of 50 megawatts or more.

(D) Any facility or plant emitting 91 metric tons (100 tons) or more per year of air contaminants.

(ii) The plans required by paragraph (d)(8)(i) of this section shall include the following:

(A) A list of equipment which emits nitrogen oxides, particulate matter, and/or sulfur dioxide, including the SCAQMD permit number, the daily amount of air contaminants emitted, and a statement of the minimum time and recommended time to implement the abatement actions for each episode stage for the equipment listed and the percent reduction in emissions at each episode stage.

(B) The total number of employees at the facility during each shift on a normal weekday and on a major national holiday.

(C) The normal amount of electricity used on a normal weekday and on a major national holiday.

(D) The actions to inform employees of the procedures to be taken in the event of an episode declaration.

(E) The name and telephone numbers of the facility's episode action coordinator and alternate, who are responsible for implementation of the plan.

(F) For stage 1 episodes:

(*1*) The measures to voluntarily curtail equipment emitting air contaminants.

(*2*) The measures to curtail or postpone electrically intensive industrial operations, where feasible.

(*3*) The measures for electric utilities to import power from outside the basin to the extent feasible.

(G) For stage 2 episodes:

(*1*) The measures to curtail as much as possible, without upsetting production, equipment operations which emit air contaminants.

(*2*) The measures to postpone operations which can be postponed until after the episode.

(*3*) For fossil fuel-fired combustion sources, including electric utilities, with a heat input greater than 50 million BTU per hour:

(*i*) The measures to burn natural gas.

(*ii*) To the extent that natural gas is not available, the measures to burn fuel oil with a sulfur content of not more than 0.25 percent by weight or the measures to reduce air contaminant emissions to equivalent discharge. Any combustion source may be exempt from the provisions of this paragraph upon demonstration that fuel oil with the specified sulfur content is not available.

(*4*) For electric utilities the measures, in addition to those in paragraph (d)(8)(ii)(F)(*3*) of this section, to:

(*i*) Shift oil burning power generation to non-source areas to the maximum extent consistent with the public health, safety, and welfare.

(*ii*) Shift oil burning power generation to combined cycle gas turbine generating equipment burning fuel oil containing less than 0.15 percent sulfur to the maximum extent consistent with the public health, safety, and welfare.

(*5*) For refineries and chemical plants the measures to be taken to reduce air contaminant emissions by 20 percent without jeopardizing the public health or safety, without causing an increase in the emissions of other air contaminants, without damaging the equipment or without reducing production by more than 20 percent.

(*6*) The measures in paragraph (d)(8)(ii)(F) of this section.

(H) For stage 3 nitrogen dioxide episodes:

(*1*) The measures for petroleum refineries to reduce emissions of nitrogen dioxide by 33 percent, without damaging the equipment or increasing the emissions of other air contaminants.

(*2*) The measures in paragraph (d)(8)(ii)(G) of this section.

(*3*) A list of equipment and the permit numbers of such equipment not operated on a major national holiday.

(*4*) A statement as to whether or not the facility operates on a major national holiday.

(I) For stage 3 particulate matter episodes:

(*1*) The measures for petroleum refineries to reduce emissions of particulate matter by 33 percent, without damaging the equipment or increasing the emissions of other air contaminants.

(*2*) The measures described in paragraph (d)(8)(ii)(G) of this section.

(*3*) The measures for any facility or plant, except electrical generating facilities and petroleum refineries, normally emitting 91 metric tons (100 tons) or more per year of particulate matter to eliminate such emissions by starting no new batches, by ceasing feed of new materials, and by phasing down as rapidly as possible without damage to the equipment.

(*4*) The measures for metal melting, refining, or smelting plants to eliminate emissions of particulate matter by starting no new batches, by ceasing feed of new materials, and by phasing down as rapidly as possible without damage to the equipment.

(J) For stage 3 sulfur dioxide and particulate matter combined episodes:

(*1*) The measures described in paragraphs (d)(8)(ii) (G) and (I) of this section.

(*2*) The measures for petroleum refineries to reduce emissions of sulfur dioxide by 33 percent, without damaging the equipment or increasing the emissions of other air contaminants.

(*3*) The measures for any facility or plant, except electrical generating facilities and petroleum refineries, normally emitting 91 metric tons (100 tons) or more per year of sulfur dioxide to eliminate such emissions by starting no new batches, by ceasing feed of new materials, and by phasing down as rapidly as possible without damage to the equipment.

(K) An estimate of the resultant reduction in air contaminant emissions.

(iii) The owner or operator of any industrial, business, commercial, or governmental activity listed below shall submit to the Administrator plans to curtail or cease operations causing air contaminants from vehicle use:

(A) Operators of 50 or more fleet vehicles.

(B) Industrial, business, commercial, or governmental establishments employing more than 100 persons per shift at one business address.

(iv) The plans required by paragraph (d)(8)(iii) of this paragraph shall include the following:

(A) The total number of employees at the facility during each shift on a normal weekday and on a major national holiday.

(B) The number of motor vehicles and vehicle miles traveled for motor vehicles operated:

(*1*) By the company on company business on a normal weekday and on a major national holiday.

(*2*) By employees commuting from home to the place of business on a normal weekday and on a major national holiday.

(C) The number of parking spaces used on a normal weekday and on a major national holiday.

(D) The minimum number of motor vehicles to be operated that are necessary to protect public health or safety.

(E) The actions to inform employees of the procedures to be taken in the event of an episode declaration.

(F) The name and telephone numbers of the facility's episode action coordinator and alternate, who are responsible for implementation of the plan.

(G) For stage 1 episodes, the methods by which employers will encourage the utilization of car pools or otherwise reduce employee motor vehicle travel.

(H) For stage 2 and 3 episodes, the measures within the reasonable control of the employer to reduce the number of vehicle miles driven by employees in commuting to and from work.

(I) An estimate of the reduction in vehicle miles traveled as a result of the measures in this paragraph.

(v) Each owner or operator required to submit a plan by this paragraph shall submit to the Administrator such plan within 60 days of the effective date of this paragraph.

(vi) The plans submitted in accordance with the provisions of this paragraph shall be approved or disapproved by the Administrator according to the following schedule:

(A) For sources with emissions of air contaminants greater than or equal to 454 metric tons (500 tons) per year, or for establishments employing 400 or more employees per shift, within 45 days after receipt.

(B) For sources with emissions of air contaminants greater than or equal to 91 metric tons (100 tons) per year and less than 454 metric tons (500 tons) per year, or for establishments employing more than 200 and less than 400 employees per shift, within 90 days after receipt.

(C) For sources with emissions of air contaminants less than 91 metric tons (100 tons) per year, or for establishments employing 100 to 200 employees per shift, within 180 days after receipt.

(vii) The owner or operator required to submit a plan by this paragraph shall be notified by the Administrator within 30 days after the plan has been evaluated if the plan is disapproved. Any plan disapproved by the Administrator shall be modified to overcome this disapproval and resubmitted to the Administrator within 30 days of the receipt of the notice of disapproval.

(viii) A copy of the plan approved in accordance with the provisions of this paragraph shall be on file and readily available on the premises to any person authorized to enforce the provisions of this section.

(9) The following actions shall be taken in the source and receptor areas upon declaration of a stage 1 episode:

(i) The notifications required by paragraph (d)(6) of this section.

(ii) The Administrator shall advise the public that those individuals with special health problems should follow the precautions recommended by their physicians and health officials.

(iii) The Administrator shall advise chool officials to cancel, postpone, or eschedule programs which require utdoor physical activity.

(iv) The Administrator shall request he public to stop all unnecessary drivng.

(v) The Administrator shall request he public to operate all privately wned vehicles on a pool basis.

(vi) Persons operating any facility or ctivity named in paragraph (d)(8) of his section shall implement the appropriate plans specified in paragraph 8) for the declared stage 1 episode nd air contaminant(s).

(10) The following actions shall be aken in the source and receptor areas upon declaration of a stage 2 episode:

(i) The actions described in paragraphs (d)(9) (i) through (v) of this section.

(ii) The Administrator shall request suspension of programs that involve physical exertion by participants using public parks or public recreational facilities located in receptor areas.

(iii) The burning of combustible refuse shall be postponed until the episode has been terminated.

(iv) The Administrator shall request the public to reduce the use of electricity by 10 percent.

(v) Persons operating any facility or activity named in paragraph (d)(8) of this section shall implement the appropriate plans specified in paragraph (d)(8) of this section for the declared stage 2 episode and air contaminant(s).

(11) The following actions shall be taken in the source and receptor areas upon declaration of a stage 3 episode:

(i) The actions described in paragraphs (d)(10) (i) through (iii) of this section.

(ii) The Administrator shall request the public to reduce the use of electricity by 40 percent.

(iii) Persons operating any facility or activity named in paragraph (d)(8) of this section shall implement the appropriate plans specified in paragraph (d)(8) of this section for the declared stage 3 episode and air contaminant(s).

(iv) For nitrogen dioxide, the general public, schools, industrial, business, commercial, and governmental activities throughout the District shall operate as though the day were a major national holiday.

(v) For particulate matter and/or sulfur dioxide and particulate matter combined, the Administrator shall request the public to reduce as much as possible activities causing dust emissions including agricultural operations, off-road vehicle use, and driving on unpaved roads. Construction and demolition operation shall be postponed until the episode has been terminated.

(12) In the event specific sources or source areas within the SCAQMD are determined to significantly contribute to a declared air pollution episode in a nearby Air Pollution Control District, emission control actions specified in this paragraph for that declared episode stage shall be taken in the SCAQMD to abate that episode.

(13) A source inspection plan shall be implemented by the Administrator upon the declaration of any episode stage.

(14) The Administrator shall provide for daily acquisition of forecasts of atmospheric stagnation conditions during any episode stage and updating of such forecasts at least every 12 hours.

(15) Any source that violates any requirement of this section shall be subject to enforcement action under section 113 of the Act.

(16) All submittals or notifications required to be submitted to the Administrator by this section shall be sent to:

Environmental Protection Agency, Air and Hazardous Materials Division (A-4), Attn: Air Programs Branch, 215 Fremont Street, San Francisco, Calif. 94105.

(e) The requirements of Subpart H of this chapter are met in the Sacramento County Air Pollution Control District with the following exceptions: There are no episode criteria levels, declaration procedures, notification procedures, source inspections, emission control actions or episode termination procedures for carbon monoxide episodes based on 4- and 8-hour averaging times; communication procedures for transmitting status reports and orders as to emission control actions to be taken during an episode stage are not provided for; there are no provisions for the inspection of those sources covered under Rule 122; there is no time schedule for the Air Pollution Control Officer to initiate the call for the submittal of individual abatement plans; the requirements for the content of the abatement plans are not sufficiently specific to ensure that adequate plans are submitted; no provisions exist for the daily acquisition of atmospheric stagnation conditions; a Priority II particulate matter episode contingency plan is not provided for in the regulation.

(f) Regulation for prevention of air pollution emergency episodes—4- and 8-hour carbon monoxide criteria levels, public announcement, source inspections, preplanned abatement strategies, acquisition of atmospheric stagnation forecasts.

(1) The requirements of this paragraph are applicable in the Sacramento County Air Pollution Control District.

(2) For the purposes of this regulation the following definitions apply:

(i) "Administrator" means the Administrator of the Environmental Protection Agency or his authorized representative.

(ii) "ppm" means parts per million by volume.

(iii) "ug/m^3" means micrograms per cubic meter.

(3) For the purposes of this paragraph, the following episode criteria shall apply:

Pollutant	Averaging time (hours)	Stage 1	Stage 2	Stage 3
Carbon monoxide	4	[1] 25	[1] 45	[1] 60
	8	[1] 15	[1] 30	[1] 40

[1] Parts per million by volume.

(4) The provisions of the Sacramento County Air Pollution Control District's Regulation IX, as submitted on November 4, 1977, relating to carbon monoxide episodes averaged over 1 hour shall apply to carbon monoxide episodes averaged over 4 and 8 hours except that the Administrator shall insure that declaration, notification, source inspections, and termination of such episodes will occur.

(5) Stationary source curtailment plans shall be prepared by business, commercial, industrial, and governmental establishments as follows:

(i) The owner or operator of any business, commercial, industrial, or governmental facility or activity listed below shall submit to the Administrator plans to curtail or cease operations causing stationary source air contaminants in such activity:

(A) Stationary sources which can be expected to emit 100 tons or more per year of hydrocarbons or carbon monoxide.

(ii) The plans required by paragraph (f)(5)(i)(A) of this section shall include the following information:

(A) The information requested by Regulation IX, Rule 125, section d, as submitted to the EPA on November 4, 1977.

(B) The total number of employees at the facility during each shift on a normal weekday.

(C) The amount of energy (gas, fuel oil, and electricity) used on a normal weekday.

(D) For first-stage episodes, the measures to voluntarily curtail equipment emitting air pollutants.

(E) For second-stage episodes:

(*1*) The measures to curtail, as much as possible, equipment operations that emit air pollutants specific to the type of episode and, in the case of oxidant episodes, the equipment operations that emit hydrocarbons.

(*2*) The measures to postpone operations which can be postponed until after the episode.

(F) For third-stage episodes:

(*1*) A list of equipment, with permit numbers if applicable, which can be shut down without jeopardizing the public health or safety, and an estimate of the resultant reductions in air contaminant emissions.

(*2*) A list of all equipment, with permit numbers if applicable, which must be operated to protect the public health or safety, and an estimate of the air contaminant emissions from such equipment.

(iii) Copies of the stationary source curtailment plans approved in accordance with the provisions of this paragraph shall be on file and readily available on the premises to any

on authorized to enforce the pro-
ns of this paragraph.

The owner or operator of any
rnmental, business, commercial,
ndustrial activity or facility listed
paragraph (f)(5) of this section
submit a stationary source cur-
nent plan to the Administrator
in 60 days after promulgation of
rulemaking.

The plans submitted pursuant to
requirements of this paragraph
be reviewed by the Administrator
approval or disapproval according
he following schedule:

For sources with emissions of hy-
arbons and carbon monoxide
ter than or equal to 454 metric
(500 tons) per year, within 45
after receipt.

) For sources with emissions of hy-
arbons and carbon monoxide
ter than or equal to 91 metric tons
tons) per year and less than 454
ric tons (500 tons) per year, within
ays after receipt.

i) For sources with emissions of
rocarbons and carbon monoxide
than 91 metric tons (100 tons) per
, within 180 days after receipt.

) The owner or operator of any in-
rial, business, governmental, or
mercial establishment required to
mit a plan by this paragraph shall
notified by the Administrator
hin 30 days after the plan has been
uated. Any plan disapproved by
Administrator shall be modified to
rcome the disapproval and resub-
ted to the Administrator within 30
s of receipt of the notice of disap-
val.

) A source inspection plan shall be
lemented by the Administrator
n the declaration of any episode
ge, and the following facilities shall
nspected to ensure compliance:

) Those sources covered under Rule
, as submitted to the EPA on No-
ber 4, 1977, as appropriate.

0) The Administrator shall insure
t forecasts of atmospheric stagna-
conditions during any episode
ge and updating of such forecasts
acquired.

1) Any source that violates any re-
rement of this regulation shall be
ject to enforcement action under
tion 113 of the Clean Air Act.

(12) All submittals or notifications required to be submitted to the Administrator by this regulation shall be sent to: Regional Administrator, Attn: Air and Hazardous Materials Division, Air Technical Branch, Technical Analysis Section (A-4-3) Environmental Protection Agency, 215 Fremont Street, San Francisco, CA 94105.

(g) Regulation for the prevention of air pollution emergency episodes—Priority II particulate matter emergency episode contingency plan.

(1) The requirements of this paragraph are applicable in the Sacramento County Air Pollution Control District.

(2) For the purposes of this paragraph the following episode criteria shall apply:

Pollutant	Averaging time (hours)	Stage 1	Stage 2	Stage 3
Particulate matter	24	[1] 375	[1] 625	[1] 875

[1] Micrograms per cubic meter

(3) Whenever it is determined that any episode level specified in paragraph (g)(2) of this section is predicted to be attained, is being attained, or has been attained and is expected to remain at such levels for 12 or more hours, the appropriate episode level shall be declared.

(4) Whenever the available scientific and meteorological data indicate that any episode level specified in paragraph (g)(2) of this section is no longer being attained and is not predicted to increase again to episode levels, such episode shall be declared terminated.

(5) The following shall be notified whenever an episode is predicted, attained, or terminated:

(i) Public officials.

(ii) Public health, safety, and emergency agencies.

(iii) News media.

(h) The requirements of Subpart H of this chapter are met in the MBUAPCD which the following exceptions: There is no time schedule to assure that stationary source and traffic curtailment plans are submitted and reviewed in a timely manner; curtailment plans are not sufficiently specific; there are no provisions for the acquisition of forecasts of atmospheric stagnation conditions; and adequate mandatory emission control actions are not specified for Third-Stage oxidant episodes.

(i) Regulation for prevention of oxidant air pollution emergency episodes within the MBUAPCD.

(1) The requirements of this paragraph are applicable in the MBUAPCD.

(2) For the purposes of this regulation the following definitions apply:

(i) "Administrator" means the Administrator of the Environmental Protection Agency or his authorized representative.

(ii) "Major national holiday" means a holiday such as Christmas, New Year's Day or Independence Day.

(iii) "Regulation VII" in this paragraph means Regulation VII, "Emergencies", of the MBUAPCD, adopted May 25, 1977, and submitted to the Environmental Protection Agency as a revision to the California State Implementation Plan by the California Air Resources Board on November 4, 1977.

(3) The plans required by Rule 705(a) of Regulation VII shall include the following information in addition to that required in Rule 705(b) of Regulation VII, and shall be submitted and processed as follows:

(i) Stationary sources.

(A) The total number of employees at the facility during each shift:

(*1*) On a normal weekday.

(*2*) On a major national holiday.

(B) The amount and type of fuel used:

(*1*) On a normal weekday.

(*2*) On a major national holiday.

(C) For Third-Stage episodes:

(*1*) A list of equipment and the permit numbers of such equipment not operated on a major national holiday.

(*2*) A statement as to whether or not the facility operates on a major national holiday.

(ii) Indirect sources.

(A) The total number of employees at the facility during each shift:

(*1*) On a normal weekday.

(*2*) On a major national holiday.

(B) The number of motor vehicles and vehicle miles traveled for motor vehicles operated:

(*1*) By the company, on company business, on a normal weekday and on a major national holiday.

(*2*) By employees commuting between home and the place of business on a normal weekday and on a major national holiday.

(C) The number of parking spaces:

(*1*) Available.

(*2*) Normally used on a weekday.

(*3*) Normally used on a major national holiday.

(D) The minimum number of motor vehicles to be operated that are necessary to protect the public health or safety.

(E) For Third-Stage episodes, a statement as to whether or not the facility operates on a major national holiday.

(iii) Each owner or operator required to submit a plan as specified under Rule 705(a) of Regulation VII shall submit such plans within 60 days after promulgation of the final rulemaking.

(iv) The plans submitted in accordance with the provisions of this paragraph shall be approved or disapproved by the Administrator within 120 days after receipt.

(v) Each owner or operator required to submit a plan as specified under Rule 705(a) of Regulation VII shall be notified within 90 days after the Administrator's decision.

(vi) Any plan disapproved by the Administrator shall be modified to overcome this disapproval and resubmitted to the Administrator within 30 days of the notice of disapproval.

(vii) A copy of the plan approved in accordance with the provisions of this paragraph shall be on file and readily available on the premises to any person authorized to enforce the provisions of this section.

(4) The following actions shall be implemented by the Administrator upon declaration of a Third-Stage oxidant episode: the general public, schools, industrial, business, commercial, and governmental activities throughout the MBUAPCD shall operate as though the day were a major national holiday.

pages tightly bound

(i) The Administrator shall ensure e acquisition of forecasts of atmos-eric stagnation conditions during y episode stage and updating of h forecasts.

(j)-(o) [Reserved]

(p) Regulation for prevention of air llution emergency episodes—re-irements for stationary source cur-lment plans and particulate matter isodes.

(1) The requirements of this para-ph are applicable in the Los Ange- County, Riverside County, San nardino County Desert and Imperi- County Air Pollution Control Dis-cts.

(2) For the purposes of this regula-n, the following definitions apply:

(i) "Administrator" means the Ad-istrator of the Environmental Pro-tion Agency or his authorized rep-entative.

(ii) "ug/m^3" means micrograms per bic meter.

(iii) "Major national holiday" means holiday such as Christmas or New ar's Day.

(3) Stationary source curtailment ns shall be prepared by major sta-nary sources, as defined by section (1) of the Act:

(i) The plans required by this para-ph shall include the following in-mation:

(A) The information requested in e California Air Resources Board's iteria for Approval of Air Pollution ergency Abatement Plans (Execu-e Order G-63).

(B) The total number of employees the facility during each work shift a normal weekday and on a major tional holiday.

(C) The amount of energy (gas, fuel l, and electricity) used on a normal ekday and on a major national holi-y.

(D) For first-stage episodes:

(*1*) The measures to voluntarily cur-l equipment emitting air pollutants.

(E) For second-stage episodes:

(*1*) The measures to curtail, as much possible, equipment operations that it air pollutants specific to the type episode and, in the case of oxidant isodes, the equipment operations at emit hydrocarbons and nitrogen ides.

(*2*) The measures to postpone operations which can be postponed until after the episode.

(F) For third-stage episodes:

(*1*) A list of equipment, with permit numbers if applicable, which can be shut down without jeopardizing the public health or safety, and an estimate of the resultant reductions in hydrocarbons, nitrogen oxides, and particulate matter emissions.

(*2*) A list of all equipment, with permit numbers if applicable, which must be operated to protect the public health or safety, and an estimate of the hydrocarbons, nitrogen oxides and particulate matter emissions from such equipment.

(4) A copy of the stationary source curtailment plan approved in accordance with the provisions of this paragraph shall be on file and readily available on the premises to any person authorized to enforce the provisions of this paragraph.

(5) The owner or operator of any governmental, business, commercial, or industrial activity or facility listed in paragraph (p)(3) of this section shall submit a stationary source curtailment plan to the Administrator within 60 days after promulgation of final rulemaking.

(6) The plans submitted pursuant to the requirements of this paragraph shall be reviewed by the Administrator within 90 days.

(7) The owner or operator of any major stationary source required to submit a plan by this paragraph shall be notified by the Administrator within 30 days after the plan has been evaluated as to whether the plan has been approved or disapproved. Any plan disapproved by the Administrator shall be modified to overcome the disapproval and resubmitted to the Administrator within 30 days of receipt of the notice of disapproval.

(8) All submittals or notifications required to be submitted to the Administrator by this regulation shall be sent to:

Regional Administrator, Attn: Air and Hazardous Materials Division, Air Technical Branch, Technical Analysis Section (A-4-3), Environmental Protection Agency, 215 Fremont Street, San Francisco CA 94105.

(9) Any source that violates any requirement of this regulation shall be subject to enforcement action under section 113 of the Act.

(10) For the purposes of this regulation the following episode criteria shall apply to particulate matter episodes:

Pollutant	Averaging time (hours)	$\mu g/m^3$		
		Stage 1	Stage 2	Stage 3
Particulate matter	24	375	625	875

(q) The requirements of Subpart H of this chapter are met in the Fresno County Air Pollution Control District, with the following exceptions: There are no episode criteria levels, declaration procedures, notification procedures, source inspection procedures, emission control actions, or episode termination procedures for carbon monoxide episodes based on 4- and 8-hour averaging times, or for particulate matter emergency episodes based on 24-hour averaging times; there is no time schedule to initiate the call for the submittal of individual abatement plans; the requirements for the content of the abatement plans are not sufficiently specific to ensure the adequate plans are submitted; there are no provisions for requiring abatement plans from operations which attract large numbers of motor vehicles with their related emissions; the Stage 3 photochemical oxidants (ozone) criterion level equals the Federal significant harm level; there are no provisions for adequate mandatory emission control actions.

(r) Regulation for prevention of air pollution emergency episodes—4- and 8-hour carbon monoxide criteria levels, mandatory emission control actions, preplanned abatement strategies, and a Priority I particulate matter emergency episode contingency plan.

(1) The requirements of this paragraph are applicable in the Fresno County Air Pollution Control District.

(2) For the purposes of this regulation the following definitions apply:

(i) "Administrator" means the Administrator of the Environmental Protection Agency or his authorized re resentative.

(ii) "ppm" means parts per milli by volume.

(iii) "$\mu g/m^3$" means micrograms p cubic meter.

(iv) "Major national holiday" mea a holiday such as Christmas or N Year's Day.

(3) For the purposes of this regu tion, the following episode crite shall apply to carbon monoxide e sodes:

Pollutant	Averaging time (hours)	Stage 1 (ppm)	Stage 2 (ppm)	S
Carbon monoxide	4 8	25 15	45 30	

(4) The provisions of the Fre County Air Pollution Control D trict's Regulation VI, as submitted October 23, 1974, relating to carb monoxide episodes averaged over hour shall apply to carbon monox episodes averaged over 4 and 8 hou except that the Administrator sh insure that declaration procedures, n tification procedures, source insp tions, and termination of such e sodes occur.

(5) Stationary source curtailme plans and traffic abatement pl shall be prepared by business, co mercial, industrial, and governmen establishments in Fresno County follows:

(i) The owner or operator of a business, commercial, industrial, governmental stationary source wh can be expected to emit 100 tons more per year of carbon monoxide, h drocarbons, or particulate matter sh submit to the Administrator plans curtail or cease operations causing s tionary source air contaminants such activity:

(ii) The plans required by paragr (r)(5)(i) of this section shall incl the following information:

(A) The information requested the California Air Resources Boar "Criteria for Approval of Air Pollut Emergency Abatement Plans" (Exe tive Order G-63).

The total number of employees e facility during each shift on a al weekday and on a major na- l holiday.

The amount of energy (gas, fuel d electricity) used on a normal ay and on a major national holi-

For first-stage episodes, the res to voluntarily curtail equip- emitting air pollutants.

For second-stage episodes:

The measures to curtail, as much sible, equipment operations that air pollutants specific to the type sode and, in the case of oxidant des, the equipment operations emit hydrocarbons or nitrogen

The measures to postpone oper- s which can be postponed until the episode.

For third-stage episodes:

A list of equipment, with permit ers if applicable, which can be down without jeopardizing the health or safety, and an esti- of the resultant reductions in monoxide, hydrocarbons, nitro- oxides, and particulate matter ions.

A list of all equipment, with numbers if applicable, which be operated to protect the public or safety, and an estimate of arbon monoxide, hydrocarbons, gen oxides, and particulate r emissions from such equip-

The owner or operator of any in- ial, business, commercial, or gov- ental facility or activity employ- ore than 100 persons per shift at ne business address shall submit e Administrator plans to curtail ase operations causing air con- ants from vehicle use.

The plans required by paragraph iii) of this section shall include llowing information:

The information requested in California Air Resources Board's eria for Approval of Air Pollution gency Abatement Plans" (Execu- Order G-63).

The total number of employees e facility during each shift.

(C) The total number of motor vehicles and vehicle miles traveled for motor vehicles operated:

(*1*) By the company on company business on a normal weekday and a major national holdiay.

(*2*) By employees commuting between home and the place of business on a normal weekday and a major national holiday.

(*3*) The minimum number of motor vehicles to be operated that are necessary to protect public health or safety.

(6) A copy of the stationary source curtailment and/or traffic abatement plans approved in accordance with the provisions of this paragraph shall be on file and readily available on the premises to any person authorized to enforce the provisions of this paragraph.

(7) The owner or operator of any governmental, business, commercial, or industrial activity or facility listed in paragraph (r)(5) of this section shall submit a stationary source curtailment plan and/or traffic abatement plan to the Administrator within 60 days after promulgation of final rulemaking.

(8) The plans submitted pursuant to the requirements of this paragraph shall be reviewed by the Administrator for approval or disapproval according to the following schedule:

(i) For sources with emissions of hydrocarbons, carbon monoxide, or particulate matter greater than or equal to 454 metric tons (500 tons) per year, or for establishments employing 400 or more employees per shift, within 45 days after receipt.

(ii) For sources with emissions of hydrocarbons, carbon monoxide, or particulate matter greater than or equal to 91 metric tons (100 tons) per year and less than 454 metric tons (500 tons) per year, or for establishments employing more than 200 and less than 400 employees per shift, within 90 days after receipt.

(iii) For establishments employing 100 to 200 employees per shift, within 180 days after receipt.

(9) The owner or operator of any industrial, business, governmental or commercial establishment required to submit a plan by this paragraph shall be notified by the Administrator

within 30 days after the plan has been evaluated as to whether the plan has been approved or disapproved. Any plan disapproved by the Administrator shall be modified to overcome the disapproval and resubmitted to the Administrator within 30 days of receipt of the notice of disapproval.

(10) Any source that violates any requirement of this regulation shall be subject to enforcement action under section 113 of the Act.

(11) All submittals or notifications required to be submitted to the Administrator by this regulation shall be sent to:

Regional Administrator, ATTN: Air and Hazardous Materials Division, Air Technical Branch, Technical Analysis Section (A-4-3), Environmental Protection Agency, 215 Fremont Street, San Franscisco, CA 94105.

(12) For the purposes of this regulation the following episode criteria shall apply to particulate matter episodes and Stage 3 photochemical oxidants episodes:

Pollutant	Averaging time (hours)	μg/m³		
		Stage 1	Stage 2	Stage 3
Particulate matter	24	375	625	875
Photochemical oxidants	1			[1]0.5

[1] Parts per million.

(13) The Fresno County Air Pollution Control District's Regulation VI, as submitted on October 23, 1974, relating to episodes for carbon monoxide and photochemical oxidants averaged over 1 hour, shall apply to particular matter episodes averaged over 24 hours, except that the Administrator shall insure that declaration procedures, notification procedures, source inspections, and termination of such episodes occur.

(14) The Administrator shall insure that the following actions will be taken in the source and receptor areas on the declaration of a Stage 1, Stage 2 or Stage 3 episode:

(i) For a Stage 1 or Stage 2 episode:

(A) Persons operating any facility or activity named in paragraph (r)(5) of this section shall implement the appropriate plans submitted in accordance with subparagraph (5) of the de-
clared Stage 1 or Stage 2 episode f
the appropriate air contaminant(s).

(ii) For a Stage 3 episode:

(A) The general public, schools,
dustrial, business, commercial,
governmental activities througho
Fresno County shall operate
though the day were a major natio
holiday.

[43 FR 22721, May 26, 1978]

EDITORIAL NOTE: For Federal Register
tions affecting § 52.274, see the List of C
Sections Affected in the Finding Aids
tion of this volume.

§ 52.275 Particulate matter control.

(a) The following rules or portio
of rules are retained because they co
trol emissions of particulate matt
and because there is no demonstrati
that their deletion would not interfe
with the attainment and maintenan
of the national standards for partic
late matter:

(1) Lake County APCD.

(i) Part III-50 and Part V-1B,
mitted on October 23, 1974, and pre
ously approved under 40 CFR 52.22

(2) San Luis Obispo County APCD

(i) Rule 113, submitted on Febru
21, 1972, and previously approv
under 40 CFR 52.223.

(b) The following regulations are
approved because they relax the c
trol on particulate matter emissi
without any accompanying analy
demonstrating that these relaxati
will not interfere with the attainm
and maintenance of the National
bient Air Quality Standards.

(1) Amador County APCD.

(i) Rules 211 and 212, submitted
April 21, 1976. (Regulation V, Rules
and 14, submitted on June 30, 1
and previously approved, are
tained.)

(ii) Rules 207 and 212, submitted
October 13, 1977. (The analog
Rules 10 and 14 of Regulation V,
mitted on June 30, 1972, and previo
ly approved, are retained and sh
remain in effect for Federal enfo
ment purposes.)

(2) Calaveras County APCD.

(i) Rule 211, submitted on Octo
13, 1977. (Rule 211, submitted on
22. 1975, and previously approved

ained and shall remain in effect for
eral enforcement purposes.)
) Del Norte County APCD.
) Rules 410(c)(7) and 420(e), sub-
ited on November 10, 1976.
) Rules 420(e) and (f), submitted
November 4, 1977.
) El Dorado County APCD.
) Rule 212, submitted on April 10,
5, and Rule 211, submitted on
gust 2, 1976. (The analogous Rule
submitted on February 21, 1972,
previously approved, is retained
shall remain in effect for Federal
orcement purposes.)
) Humbolt County APCD.
) Rules 410(c)(7) and 420(e), sub-
ted on November 10, 1976.
) Rules 420(e) and (f), submitted
November 4, 1977.
) Mariposa County APCD.
) Rule 211, submitted on June 6,
. (Rule 211, submitted on January
1975, and previously approved, is
ained and shall remain in effect for
eral enforcement purposes.)
) Mendocino County APCD.
) Rule 410(c)(7), submitted on No-
ber 10, 1976.
) Rules 420(e) and (f), submitted
November 4, 1977.
) Nevada County APCD.
) Rule 212, submitted on April 10,
5, and Rule 211, submitted on April
1976. (Rule 52.1, submitted on June
1972, and previously approved, is
ained and shall remain in effect for
eral enforcement purposes.)
) Northern Sonoma County APCD.
) Rule 420(e), submitted on novem-
10, 1976.
) Rules 420(e) and (f), submitted
October 13, 1977.
0) Placer County APCD.
) Rule 211, submitted on October
1977. (The analogous Rule 61, sub-
ted on June 30, 1972, and previous-
approved, is retained and shall
ain in effect for Federal enforce-
t purposes.)
) Rules 202, 207, and 211, submit-
on October 15, 1979; and Section
and Rules 202 and 207, previously
roved in the June 30, 1972, Janu-
10, 1975, and October 13, 1977 sub-
tals, are retained.
1) Plumas County APCD.
) Rule 211, submitted on June 6,
. (The analogous Rule 211, sub-

mitted on January 10, 1975, and previously approved, is retained and shall remain in effect for Federal enforcement purposes.)

(12) San Luis Obispo County APCD.

(i) Rule 403, submitted on November 10, 1976.

(13) Sierra County APCD.

(i) Rule 211, submitted on June 6, 1977. (The analogous Rule 211, submitted on January 10, 1975, and previously approved, is retained and shall remain in effect for Federal enforcement purposes.)

(14) Trinity County APCD.

(i) Rules 410(c)(7) and 420(e), submitted on November 10, 1976.

(ii) Rules 420(e) and (f), submitted on November 4, 1977.

[43 FR 25675, June 14, 1978]

EDITORIAL NOTE: For Federal Register citations affecting § 52.275, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.276 Sulfur content of fuels.

(a) The following rules or portions of rules are disapproved since they represent a relaxation of previously submitted regulations and an adequate control strategy demonstration has not been submitted showing that the relaxation will not interfere with the attainment and maintenance of the National Ambient Air Quality Standards:

(1) North Central Coast Intrastate Region:

(i) Monterey Bay Unified APCD.

(A) Rule 412(a)(8), *Sulfur Content of Fuels*, submitted on October 23, 1974.

(b) The deletion of the following rules from the State implementation plan is disapproved since their deletion represents a relaxation of the control strategy, and an adequate demonstration showing that the relaxation will not interfere with the attainment and maintenance of the national ambient air quality standards has not been submitted:

(1) Southeast Desert Intrastate Region:

(i) Imperial County APCD.

(A) Rule 126, Sulfur Contents of Fuels, submitted on June 30, 1972 and previously approved under 40 CFR 52.223.

[42 FR 56606, Oct. 27, 1977, as amended at 43 FR 35695, Aug. 11, 1978]

§ 52.277 Oxides of nitrogen, combustion gas concentration limitations.

(a) The following rules are being retained to the extent that the new rules are less stringent than the previously approved rules:

(1) North Central Coast Intrastate Region:

(i) Monterey Bay Unified APCD.

(A) Rule 404(c) submitted on February 21, 1972 by the Monterey-Santa Cruz Unified APCD and previously approved as part of the SIP, is being retained for sources combusting gaseous fuels. Rule 404(c) will be in effect for Monterey and Santa Cruz Counties only. Rule 404(c), submitted on November 10, 1976 by the Monterey Bay Unified APCD, will only be in effect for sources combusting liquid or solid fuels with heat input rates greater than 1½ billion BTU per hour in the Monterey and Santa Cruz portions of the Unified APCD.

(B) Rule 408(b), submitted on February 21, 1972 by the San Benito County APCD and previously approved as part of the SIP, is being retained for sources combusting liquid, solid, or gaseous fuels with heat input rates less than 1½ billion BTU per hour. Rule 408(b) will be in effect for San Benito County only. Rule 404(c), submitted on November 10, 1976 by the Monterey Bay unified APCD, will only be in effect for sources combusting liquid, solid, or gaseous fuels with heat input rates greater than 1½ billion BTU per hour in the San Benito County portion of the Unified APCD.

[42 FR 56606, Oct. 27, 1977]

§ 52.278 Oxides of nitrogen control.

(a) The following regulations are disapproved because they relax the control of nitrogen oxides emissions without an accompanying analysis demonstrating that this relaxation will not interfere with the attainment and maintenance of the National Ambient Air Quality Standards.

(1) South central coast intrastate AQCR.

(i) San Luis Obispo County APCD.

(A) Rule 405(A)(1), *Nitrogen Oxides Emission Standards Limitations and*
Prohibitions submitted on Novemb
10, 1976, is disapproved; and Ru
114(4), *Gaseous Contaminants Oxid*
of Nitrogen submitted on February
1972 and previously approved in
CFR 52.223, is retained.

[43 FR 34467, Aug. 4, 1978]

§ 52.279 Food processing facilities.

(a) The following regulations are d
approved because they conflict wi
the requirements of 40 CFR Subpar
[formerly § 51.18], "Review of n
sources and modifications," and rel
the control on emissions from fo
processing facilities without any
companying analyses demonstrati
that these relaxations will not int
fere with the attainment and main
nance of the National Ambient
Quality Standards.

(1) Merced County APCD Ru
210.1-II-J, 210.1-VII-F, 408-C (n
sentences two and three), adopted
August 21, 1984, and submitted on
tober 5, 1984.

(2) Bay Area Air Quality Mana
ment District sections 2-2-119, 2-
120, 6-205, 6-312, adopted on Septe
ber 19, 1984, and submitted on Octo
5, 1984.

[52 FR 3646, Feb. 5, 1987]

§ 52.280 Fuel burning equipment.

(a) The following rules and regu
tions are disapproved because th
relax the control on emissions fr
fuel burning equipment without
accompanying analyses demonstrati
that these relaxations will not int
fere with the attainment and main
nance of the National Ambient
Quality Standards.

(1) Mountain Counties Intras
AQCR:

(i) Amador County APCD.

(A) Rules 209, submitted on April
1976 and October 15, 1979, are dis
proved; and Regulation V, Rule
previously approved in the June
1972 submittal, is retained.

(B) Rule 210(B)(1), submitted on
tober 15, 1979, is disapproved;
Rules 11 and 210, previously appro
in the June 30, 1972 and April 21, 1
submittals, are retained.

(ii) Calaveras County APCD.

A) Rule 209, Fossil Fuel-Steam erator Facility, submitted on Oc- er 13, 1977, is disapproved; and le 408, Fuel Burning Equipment, viously approved in the June 30, 72, submittal, is retained and shall ain in effect for Federal enforce- nt purposes.

iii) Tuolumne County APCD.

A) Rule 210, submitted on October 1979, is disapproved; and Rule 407, viously approved in the June 30, 72 submittal, is retained.

iv) Placer County APCD.

A) Rule 210, submitted on October 1979, is disapproved, and Rule 210, viously approved in the October 13, 77 submittal, is retained.

) Sacramento Valley Intrastate QCR:

) Yolo-Solano APCD.

A) Rule 2.16, *Fuel Burning Heat or wer Generators,* submitted on July 1974 is disapproved; and Rule 2.16, *l Burning Equipment,* submitted June 30, 1972 and previously ap- ved as part of the SIP in 40 CFR 223, is retained.

) Southeast Desert Intrastate CR.

) San Bernardino County Desert CD.

A) Rule 474, *Fuel Burning Equip- nt—Oxides of Nitrogen,* submitted ember 4, 1977, is disapproved. Rule same title) submitted June 30, 1972 approved in 40 CFR 52.223 is re- ed.

) The deletion of the following s or portions of rules from the te implementation plan is disap- ved since their deletion represents laxation of the control strategy an adequate demonstration show- that the relaxation will not inter- with the attainment and mainte- ce of the national ambient air lity standards has not been submit-

) Southeast Desert Intrastate ion:

) Imperial County APCD.

) Rule 131, Fuel Burning Equip- t, submitted on February 21, 1972 previously approved under 40 52.223.

) San Bernardino County.

) Rule 67, Fuel Burning Equip- t as applied to new sources. The emission limit of Rule 67 is retained and is applicable only to existing sources already granted a permit.

(c) The emission limits of Rules 67 and 72 are partially retained, applicable only to (existing) sources granted permits prior to June 17, 1981.

(1) South Coast Air Quality Management District.

(i) Rules 67, *Fuel Burning Equipment,* and 72, *Fuel Burning Equipment,* submitted on November 19, 1979.

[43 FR 25677, 25684 June 14, 1978, as amended at 43 FR 35696, Aug. 11, 1978; 43 FR 51774, Nov. 7, 1978; 43 FR 59490, Dec. 21, 1978; 44 FR 5664, Jan. 29, 1979; 46 FR 3889, Jan. 16, 1981; 46 FR 27116, 27118, May 18, 1981; 47 FR 25016, June 9, 1982]

§ 52.281 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made part of the applicable plan for the State of California.

(c) Regulations for visibility new source review. The provisions of § 52.27 are hereby incorporated and made part of the applicable plan for the State of California only with respect to:

(1) Mendocino County air pollution control district,

(2) Monterey County air pollution control district,

(3) North Coast Unified air quality management district,

(4) Northern Sonoma County air pollution control district, and

(5) Sacramento County air pollution control district.

(d) The provisions of § 52.28 are hereby incorporated and made part of the applicable plan for the State of California, except for:

(1) Monterey County air pollution control district, and

(2) Sacramento County air pollution control district.

(e) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of California.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45138, Nov. 24, 1987]

Subpart G—Colorado

§ 52.320 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for State of Colorado".

(b) The plan was officially submitted on January 26, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Request for legal authority submitted February 14, 1972, by the Governor.

(2) Request for 110(e) extensions submitted March 20, 1972, by the Governor.

(3) Statements by State Air Pollution Control Commission (APCC) related to public inspection of emission data, emergency episodes, and transportation control submitted May 1, 1972, by the APCC. (Non-regulatory)

(4) List of sources under compliance schedules submitted May 1, 1972, by the State Department of Health.

(5) Transportation Control Plans submitted June 4, 1973, by the Governor.

(6) Statements relating to transportation control plans submitted July 16, 1973, by the Governor. (Non-regulatory)

(7) Plan revisions submitted November 21, 1973, by the Governor which delete Section III of Regulation No. 1 only as it relates to existing sources in Appendix P concerning SO_2.

(8) On April 24, October 4, 1979, and January 7, 1980, the Governor submitted revisions to meet Part D and other sections of the Clean Air Act, as amended in 1977. No action is taken with regard to the revised stack height regulation.

(9) Supplemental information about the Air Quality Maintenance Areas was submitted by the Governor on January 29, 1975.

(10) Procedural rules for all proceedings before the Air Pollution Control Commission, submitted May 5, 1977, by the Governor.

(11) On January 2, 1979, the Governor submitted the nonattainment area plan for all areas designated nonattainment as of March 3, 1978. EPA is taking no action on areas for which the Governor has requested redesignations (Larimer-Weld TSP and ozone; El Paso County ozone).

(12) Extension request for attainment of CO and O_3 was submitted by the Governor on January 5, 1979.

(13) On July 5, 1979, the governor submitted the Air Pollution Control Commission's final comment on our May 11, 1979, proposal. This included a clarification that the "No-Drive Day" was not part of the State Implementation Plan and transportation control measures schedules for Larimer-Weld.

(14) On July 18, 1979, the Commission committed to revising Regulation 7.

(15) On July 23, 1979, the Governor submitted House Bills 1109, 1090, and Senate Bill 1 as part of the plan.

(16) On July 27, 1979, the Governor submitted the Denver Regional Council of Governments schedules for implementing the transportation control strategies, and clarified that the Transportation Development Plan was part of the plan.

(17) On March 4, 1980, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR Part 58, Subpart C, § 58.20

(18) On May 29, 1980, the Governo submitted written evidence of the State's legal authority to implemen and enforce an automobile emission control program as well as schedule for implementing that program and demonstration that it will achieve 25% reduction in exhaust emissions b 1987.

(19) On January 22 and February 6 1980 the Governor submitted schedules for the implementation of transportation control measures for Denve and Larimer-Weld elements of the State Implementation Plan, respec tively.

(20) On April 21, 1980, the Governo submitted a plan revision to meet the data reporting requirements of sectio 127 of the Clean Air Act.

(21) On June 22, 1980, the Governor submitted the following amended rules:

REPEAL AND REPROMULGATION OF REGULATION NO. 3 "A Regulation Requiring Air Pollutant Emission Notice, Emission Permits and Fees."

REVISIONS TO COMMON PROVISIONS REGULATION as they relate to changes in Regulation No. 3.

(22) On June 5, 1980, the Governor submitted the following rules:

REPEAL AND REPROMULGATION OF REGULATION NO. 7 "A Regulations to Control Emissions of Volatile Organic Compounds" and revisions to the Common Provisions Regulations as they relate to changes in Regulation No. 7.

(23) On August 25, 1980, the Governor of Colorado submitted a site specific revision to the State Implementation Plan for Coors Container Corporation, Paper Packaging Division, in regard to alternative volatile organic compound emissions reduction for its printing presses.

(24) Provisions to meet the requirements of sections 110 and 172 of the Clean Air Act, as amended in 1977, regarding control of Group II VOC sources were submitted on January 6, 1981, and the supplemental information received on August 20, 1981.

(25) On December 29, 1980, the Governor submitted the following rule: Regulation No. 11, covering procedures for garage licensing (including mechanic testing and licensing), equipment requirements (including standards and specifications for exhaust gas analyzers), requirements for inspections, and emission standards as part of the Colorado motor vehicle inspection program.

(26) On March 23, 1981, the Governor submitted revised regulations limiting sulfur dioxide emissions from certain oil shale production facilities.

(27) On April 12, 1982, the Governor submitted the plan revisions to show attainment of the lead National Ambient Air Quality Standard.

(28) Regulation Number 7 is part of the plan.

(29) Provisions to meet the requirements of Part D of the Clean Air Act for carbon monoxide in Colorado Springs, Fort Collins, and Greeley and ozone in Denver were submitted on June 24, 1982, and supplemented by information submitted on May 4, 1983, by the Colorado Air Quality Control Commission.

(30) Revisions to Air Pollution Control Commission Regulation No. 1 related to fugitive particulate emissions, were submitted by the Governor on June 22, 1982; on December 6, 1982; and on March 23, 1983, with a technical clarification dated August 5, 1982. Included is approval of requirements for continuous emission monitoring (CEM) of sulfur dioxide on fossil fuel fired steam generator with greater than 250 million BTU per hour heat input. Also addressed is the reinstatement of the 40% opacity limitation for wigwam waste-wood burners into Regulation No. 1. With this is the addition of operation and maintenance (O&M) requirements to promote improved operation of the wigwam burners.

(i) Incorporation by reference

(A) Emission Control Regulations for Particulates, Smokes and Sulfur Oxides for the State of Colorado, Regulation No. 1.II (Smoke and Opacity); III (Particulates); IV (Continuous Emission Monitoring Requirements for Existing Sources; VII (Statements of Basis and Purpose); and Appendices A and B; which were effective on May 30, 1982.

(B) Colorado Air Quality Control Commission Common Provisions Regulation which was effective on May 30, 1982.

(C) Letter of August 5, 1982, from the State of Colorado to EPA. Clarification of the SIP Re: Continuous Emission Requirements for Oxides of Sulfur from Fossil Fueled Steam Generators.

(31) Revisions to Air Pollution Control Commission Regulation No. 11 related to the Colorado Inspection and Maintenance (I/M) program for exhaust emission inspection of motor vehicles, submitted by the Governor on December 10, 1984.

(32) Revisions to Air Pollution Control Commission Regulation No. 1, section II. A. 6 and III. C. 2 (a) and (b) and Regulation No. 5 Emission Control Regulation for Existing Alfalfa Dehydration plants, submitted by the Governor on April 9, 1985.

(i) Incorporation by reference.

(A) Revisions to Air Pollution Control Commission Regulation No. 1, "Emission Control Regulation for Particulates, Smokes, and Sulfur Oxides for the State of Colorado," sections II. A. 6 and III. C. 2 (a) and (b), effective March 2, 1985.

(B) Revisions to Air Pollution Control Commission Regulation No. 5, "Emission Control Regulation for Existing Alfalfa Dehydration Plants", effective March 2, 1985.

(33) A revision to Regulation No. 4, "Regulation on the Sale of New Woodstoves", to control emissions from new woodstoves was submitted by the Governor on October 24, 1986.

(i) Incorporation by reference

(A) Colorado Air Quality Control Commission Regulation No. 4, "Regulation on the Sale of New Woodstoves" (Section III.A., E., F., G. and Section VI.B. and C.) adopted June 27, 1985.

(34) [Reserved]

(35) Colorado Air Pollution Control Commission Regulation No. 4, "Regulation on the Sale of New Wood Stoves", submitted by the Governor on July 18, 1985.

(i) Incorporation by reference.

(A) Colorado Air Quality Control Commission Regulation No. 4., "Regulation on the Sale of New Wood Stoves", adopted June 27, 1985.

(36) "Revisions to Colorado Regulation No. 3 Requiring Air Contaminant Emission Notices, Emission Permits and Fees as it Relates to the Prevention of Significant Deterioration" and "Revisions to Common Provision Regulation as Related to Regulation 3." Changes submitted April 18, 1983, by the Governor.

(37) Supplemental information submitted on December 16, 1985, by the Colorado Department of Health concerning compliance with EPA's stack height regulations in issuing PSD permits.

(i) Incorporation by reference.

(A) Revisions to Regulation 3 and Common Provisions Regulation adopted March 10, 1983, by the Colorado Air Quality Control Commission.

(B) Supplemental information submitted on December 16, 1985, by the Colorado Department of Health concerning compliance with EPA's stack height regulation in issuing PSD permits.

[37 FR 10855, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.320, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.321 Classification of regions.

The Colorado plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Pawnee Intrastate	I	III	III	III	
Metropolitan Denver Intrastate	I	III	III	I	
Comanche Intrastate	III	III	III	III	
San Isabel Intrastate	I	III	III	III	
San Luis Intrastate	III	III	III	III	
Four Corners Interstate	IA	IA	III	III	
Grand Mesa Intrastate	III	III	III	III	
Yampa Intrastate	III	III	III	III	

[37 FR 10855, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 44 FR 57409, Oct. 5, 1979]

§ 52.322 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Colorado's plans for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Denver, San Isabel, and Pawnee Intrastate Regions.

(b) The Administrator hereby extends until May 31, 1977, the attainment date for the national standards or carbon monoxide and photochemi-al oxidants in the Metropolitan Denver Intrastate Air Quality Control Region.

(c) The Administrator hereby ex-ends for 18 months (until July 1, 980) the statutory time table for Colorado's plans for attainment and aintenance of the secondary stand-rds for particulate matter in Denver, Grand Junction, Colorado Springs, Pueblo and Larimer-Weld nonattain-ent areas (40 CFR 81.306).

(d) The Administrator hereby ex-ends to December 31, 1987, the attain-ent date for ozone in the Denver onattainment area (40 CFR 81.306).

(e) The Administrator hereby ex-ends to December 31, 1987 (Denver), December 31, 1985 (Colorado Springs), December 31, 1986 (Fort Collins), and December 31, 1984 (Greeley), the at-ainment dates for carbon monoxide n these nonattainment areas (40 CFR 1.306).

37 FR 10855, May 31, 1972, as amended at 8 FR 30820, Nov. 7, 1973; 44 FR 57409, Oct. , 1979]

52.323 Approval status.

With the exceptions set forth in this ubpart, the Administrator approves Colorado's plan for the attainment nd maintenance of the national tandards under section 110 of the Clean Air Act. Furthermore, the Ad-ministrator finds that the plan satisifies all requirements of Part D, Title 1, f the Clean Air Act as amended in 977, except as noted below.

44 FR 57410, Oct. 5, 1979]

52.324 Legal authority.

(a) The requirements of § 51.230(f) f this chapter are not met since the tate lacks the authority to require wners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such stationary sources.

(b) Delegation of authority: Pursuant to section 114 of the Act, Colorado requested a delegation of authority to enable it to require sources to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions. The Administrator has determined that Colorado is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to Colorado his authority under section 114(a)(1)(B) and (C) of the Act, i.e., authority to require sources within the State of Colorado to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions.

(c) The requirements of § 51.230(d) of this chapter are not met since Regulation No. 3 provides that an emission permit be issued when automatically specific defined time limits have been exceeded. EPA will consider invalid any permit granted automatically pursuant to Section IV.F. of Regulation No. 3. Persons constructing or modifying sources under the authority of automatically issued permits will be subject to Federal enforcement action.

[37 FR 10855, May 31, 1972, as amended at 46 FR 24182, Apr. 30, 1981; 51 FR 40676, Nov. 7, 1986]

§ 52.325 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Colorado's plan, except where noted.

Air quality control region and nonattainment area	TSP		Pollutant SO_x		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
ree Intrastate:							
a. Larimer-Weld Region	e	f	b	b	b	g/i	b
b. Remainder of AQCR	c	b	b	b	b	b	b
opolitan Denver:							
a. Denver Region	e	f	b	b	e	j	j
b. Grand Junction	e	f	b	b	b	b	b

Air quality control region and nonattainment area	TSP		Pollutant SO_x		NO_x	CO	O_x
	Primary	Secondary	Primary	Secondary			
c. Remainder of AQCR	*c*	b	b	b	b	d	b
Comanche Intrastate	b	b	b	b	b	b	b
San Isabel Intrastate:							
a. Colorado Springs	e	*f*	b	b	b	h	b
b. Pueblo	e	*f*	b	b	b	b	b
c. Remainder of AQCR	*c*	b	b	b	b	b	b
San Luis Intrastate	a	*c*	b	b	b	b	b
Grand Mesa Intrastate	*c*	*c*	b	b	b	b	b
Yampa Intrastate	b	b	b	b	b	b	b
Four Corners Intrastate	*c*	*c*	b	b	b	b	b

NOTE 1: Dates or footnotes which are italic are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.325.

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. July 1975.
d. May 31, 1977.
e. December 31, 1982.
f. 18-month extension granted.
g. December 31, 1984 (Greeley).
h. December 31, 1985.
i. December 31, 1986 (Fort Collins).
j. December 31, 1987.

[44 FR 57410, Oct. 5, 1979]

§§ 52.326—52.328 [Reserved]

§ 52.329 Rules and regulations.

(a) *Part D disapproval.* Regulation No. 3 and the Common Provisions Regulations are approved except for the following provisions which are disapproved:

(1) Section IV.D2(b)(ii)(G), which exempts from "major modification," a change of an existing oil-fired or gas-fired boiler to the use of a coal/oil mixture, shale oil, or coal-derived fuels, provided that such change would not interfere with reasonable further progress toward attainment of any National Ambient Air Quality Standard.

(2) Section IV.D2.(b)(iii), "major modification" and the definition of "major stationary source" in the Common Provisions Regulation that provides that fugitive emissions of particulate matter from any of the 26 listed source categories will be excluded in determining whether the source is major, even though quantifiable, if the owner or operator of the source demonstrates to the satisfaction of the Colorado Air Pollution Control Division that such emissions are of a size and substance that will not adversely affect public health or welfare.

(3) Section IV.H.6., that allows the Division to grant an applicant a period of greater than six months to bring a source into compliance.

(4) Regulation No. 3 did not include a provision for "reconstruction," and certain fugitive emissions may escape review since they were not included in Colorado Regulations No. 6 and No. 8, but were regulated under Federal New Source Performance Standards or National Emission Standards for Hazardous Pollutants. Any source which escapes review because of these deficiencies in Regulation No. 3 will be subject to federal enforcement actions.

[50 FR 26734, June 28, 1985]

§ 52.330 Control strategy: Total suspende particulates.

(a) *Part D—Conditional Approval:* The Pueblo plan is approved assuming the State demonstrates by December 31, 1981, through air quality modeling, attainment of the 24-hour and annual standards, while considering emissions from all sources in the nonattainment area. In addition, the State must repromulgate Regulation No. 1 to satisfy reasonably available control technolo requirements in accordance with e following schedule:

(1) The Commission will consider d adopt for public hearing any anges or additions to Regulation No. by February 15, 1981.

(2) The proposed regulations will be blished in the Colorado Register by rch 10, 1981.

(3) Public hearing will be held by y 14, 1981.

(4) Regulations will be approved th an effective date no later than ly 1, 1981, and submitted to EPA by e same date.

FR 26302, May 12, 1981]

2.331—52.340 [Reserved]

2.341 Maintenance of national standards.

(a) The areas listed below which re identified by the State of Colora are hereby identified by the Adminrator pursuant to § 51.110 (h) and of this chapter as having the poten l for violation of the specified air ality standards within 10 years. The ntified areas consist of the territori area encompassed by the boundes of the given jurisdictions or deribed area including the territorial a of all municipalities (as defined in tion 302(f) of the Clean Air Act, 42 S.C. 1857h(f)) geographically locat within the outermost boundaries of e area so delimited.

(1) Colorado Springs Air Quality intenance Area (State Planning d Management District 4).

(i) Pollutants for which the area is ntified: Particulate matter and bon monoxide.

(ii) Geographical composition of a:

l Paso County.

(2) Colorado-Utah Oil Shale Interte Air Quality Maintenance Area olorado portion) (State Planning d Management District 11).

(i) Pollutants for which the area is ntified: Particulate matter, sulfur xide, carbon monoxide, and photoemical oxidants.

(ii) Geographical composition of a:

arfield County, Mesa County, Moffat nty, Rio Blanco County.

(3) Metropolitan Denver Air Quality Maintenance Area (State Planning and Management District 3).

(i) Pollutants for which the area is identified: Particulate matter, carbon monoxide, photochemical oxidants and nitrogen dioxide.

(ii) Geographical composition of area:

Adams County, Arapahoe County, Boulder County, Clear Creek County, Denver County, Douglas County, Gilpin County, Jefferson County.

(4) North Central Colorado Air Quality Maintenance Area (State Planning and Management District 2).

(i) Pollutants for which the area is identified: Particulate matter, carbon monoxide, and photochemical oxidants.

(ii) Geographical composition of area:

Larimer County, Weld County.

(5) Pueblo Air Quality Maintenance Area (State Planning and Management District 7).

(i) Pollutants for which the area is identified: Particulate matter and carbon monoxide.

(ii) Geographical composition of area:

Pueblo County.

[40 FR 23752, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.342 [Reserved]

§ 52.343 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met for the following categories of sources for preventing the significant deterioration of air quality:

(1) The following sources for which fugitive emissions are considered in calculating potential to emit under 40 CFR 52.21 unless the source is required to obtain a Colorado PSD permit pursuant to regulations identified in § 52.320(c) 36 and 37:

Kraft Pulp Mills
Primary Zinc Smelters
Primary Aluminum Ore Reduction Plants
Primary Copper Smelters
Municipal Incinerators (capable of charging more than 250 tons of refuse per day)

Hydrofluoric Sulfuric and Nitric Acid Plants
Phosphate Rock Processing Plants
Sulfur Recovery Plants
Carbon Black Plants (furnace process)
Primary Lead Smelters
Secondary Metal Production Plants
Chemical Process Plants
Taconite Ore Processing Plants
Glass Fiber Processing Plants
Charcoal Production Plants.

(2) Sources avoiding requirements based on exemptions in Colorado Regulations on the basis of fugitive dust that would not be exempt under § 52.21.

(3) Sources exempt under Regulation 3.I.B.2.c.viii.

(4) Sources exempt under the following Colorado Common Provision Regulation definition of Stationary Source: "Except that properties which are or will be used only for right-of-way, transmissions, gathering, transportation, communication, pipeline, or similar purposes shall not be considered contiguous or adjacent."

(5) Sources locating on Indian lands.

(6) Sources that would receive a Colorado permit based upon the provision covering Time Constraints on Division Action found on Regulation 3.IV.F.

(7) Sources that would avoid compliance with their permits due to that portion of Regulation 3.IV.H.4 allowing an administrative compliance waiver for as long as six months to a new source which violates a term of its permit.

(8) Sources which were regulated under section 111 or 112 of the Clean Air Act as of August 7, 1980 with the exception of those sources for which fugitive emissions will be included in calculating potential to emit in the Colorado Regulation, and with the exception of sources which will be required to obtain a Colorado PSD permit pursuant to regulations identified in § 52.320(c) 36 and 37.

(9) Sources locating on Indian Reservations.

(10) Sources that received permits from EPA or constructed prior to September 2, 1986.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Colorado for the sources identified in paragraph (a) as no meeting the requirements of section 160-165 of the Clean Air Act.

[51 FR 31126, Sept. 2, 1986, and 52 FR 462 Feb. 13, 1987, as amended at 52 FR 2263 June 15, 1987]

§ 52.344 Visibility protection.

(a) The requirements of section 169 of the Clean Air Act are not met, because the plan does not include approvable procedures for protection o visibility in mandatory Class I Feder areas.

(b) Regulation for visibility monito ing and new source review. The prov sions of §§ 52.26 and 52.28 are hereb incorporated and made a part of th applicable plan for the State of Col rado.

(c) *Long-term strategy.* The prov sions of § 52.29 are hereby incorpora ed and made part of the applicab plan for the State of Colorado.

[50 FR 28553, July 12, 1985, as amended 52 FR 45137, Nov. 24, 1987]

Subpart H—Connecticut

§ 52.370 Identification of plan.

(a) Title of plan: "State of Connec cut Air Implementation Plan."

(b) The plan was officially submitt on March 3, 1972.

(c) The plan revisions listed bel were submitted on the dates specifie

(1) Miscellaneous non-regulatory dition to the plan and addition amendment to Chapter 360 of Gene Statutes which provides authority delegation of enforcement author submitted on March 21, 1972, by t Connecticut Department of Envir mental Protection.

(2) Miscellaneous non-regulatory ditions to the plan submitted on Ap 6, 1972, by the Connecticut Dep ment of Environmental Protection.

(3) Attainment dates submitted August 10, 1972, by the Connecti Department of Environmental Prot tion.

(4) Regulation 19-508-100 requir a review of indirect sources submit on January 9, 1974, by the Conne cut Department of Environmen Protection.

(5) AQMA identification material submitted on April 15, 1974, by the Connecticut Department of Environmental Protection.

(6) Indirect Source Review Regulation 19-508-100 resubmitted on August 26, 1974, by the Connecticut Department of Environmental Protection.

(7) [Reserved]

(8) Revision to Chapter 8, Air Quality Surveillance, submitted on June 30, 1977 by the Governor.

(9) Revision to Indirect Source Review Regulation 19-508-100 submitted on June 13, 1977 by the Connecticut Department of Environmental Protection.

(10) A revision to Regulation 19-508-19(a)(2)(i) submitted by the Commissioner of the Connecticut Department of Environmental Protection on April 16, 1979, granting a variance until April 1, 1981 to Northeast Utilities.

(11) State Implementation Plan revisions to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted on June 22, 1979 and received on June 27, 1979; submitted on December 18, 1979 and received on December 28, 1979; submitted on January 28, 1980 and received on February 1, 1980; submitted and received on May 1, 1980; submitted and received on June 5, 1980; submitted on September 2, 1980 and received on September 8, 1980; and submitted and received on November 12, 1980. Included are plans to attain: The primary TSP standard in Greenwich and Waterbury and the carbon monoxide and ozone standards statewide. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions are also included.

(12) A revision to Regulation 19-508-19(a)(2)(i), submitted by the Commissioner of the Connecticut Department of Environmental Protection on September 8, 1980, granting a variance until March 27, 1983 to the Federal Paperboard Company, Inc.

(13) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR Part 58, was submitted by the Connecticut Department of Environmental Protection Commission on June 9, 1980 and November 17, 1980.

(14) Non-regulatory additions to the plan which were submitted on December 19, 1980, and amended on March 11, 1981, by the Connecticut Department of Environmental Protection amending the sulfur control strategy to include an "Air Pollution Control/Energy Trade Option" except for submittal attachments #1 and #2, "SULFUR DIOXIDE" and "TRANSPORT OF SULFUR DIOXIDE" and the section of attachment #3 "CONTROL OF SULFUR OXIDES" entitled "Sample Analysis of a Btu Bubble Application".

(15) Non-regulatory addition to the plan of the state *New Source Ambient Impact Analysis Guideline*, for use in State program actions, submitted on December 19, 1980, and amended on March 11, 1981, and July 15, 1981.

(16) Revisions to regulation 19-508-4 (source monitoring requirements) and regulation 19-508-5 (stack emissions testing) submitted on November 7, 1977 by the Commissioner of the Connecticut Department of Environmental Protection.

(17) A revision to Regulation 19-508-19(a)(2)(i), submitted by the Commissioner of the Connecticut Department of Environmental Protection on June 23, 1981, granting a temporary variance to Uniroyal Chemical, Division of Uniroyal, Inc.

(18) Revisions to Regulation 19-508-19 (Control of Sulfur Compound Emissions), Regulation 19-508-24 (Connecticut Primary and Secondary Standards), and accompanying narrative submitted by the Commissioner of the Connecticut Department of Environmental Protection on October 23, 1981 and November 4, 1981.

(19) Revisions submitted by the Commissioner of the Connecticut Department of Environmental Protection on November 16, 1981. These provisions supersede portions of the revisions identified under paragraph (c)(18).

(20) Revisions to meet the requirements of Part D and certain other sections of the Clean Air Act, as amended, were submitted on December 15, 1980, May 29, 1981, and May 5, 1982. Included are changes to the State

Ozone Control Plan involving adoption of Regulation 19-508-20(k) controlling the use of cutback asphalt, the approval of the RFP demonstration for ozone attainment, a refined inventory of miscellaneous stationary sources of Volatile Organic Compounds, changes to Regulation 19-508-3(1) dealing with review of new and modified stationary sources, and an amendment to the State's Smoke and Opacity monitoring requirements.

(21) [Reserved]

(22) Revisions to the narrative and State Regulation 19-508-18, subparts (d), f(1), f(2), and part of f(3), governing total suspended particulate emissions, submitted by the Commissioner of the Connecticut Department of Environmental Protection on April 8, 1982.

(23) Regulation 19-508-20(cc), Alternative Emission Reductions as it applies to Regulation 19-508-20: (m), can coating; (n), coil coating; (o), fabric and vinyl coating; (p), metal furniture coating; (q), paper coating; (r), wire coating; (s), miscellaneous metal parts; (t), manufacture of synthesized pharmaceutical products and (v), graphic arts—rotogravure and flexography, was submitted on December 15, 1980, and January 11, 1982, by the Commissioner of the Department of Environmental Protection.

(24) Revision for Sikorsky Aircraft Division of United Technologies received from the Commissioner of the Connecticut Department of Environmental Protection on June 2 and July 16, 1982. This provision supersedes a portion of the revisions identified under (c)(18).

(25) Revisions to meet ozone attainment requirements of Part D (Group II CTG regulations), the adoption of a lead standard and the revision of the ozone standard, submitted on December 15, 1980, are approved as follows: Regulations 19-508-20 (s), (t), (v), (w), (aa), (bb), and (dd), Regulation 19-508-8 and Regulation 19-508-24(i)(l).

(26) Revision for Dow Chemical U.S.A. in Gale's Ferry submitted by the Commissioner of the Connecticut Department of Environmental Protection on December 20, 1982, including state order 7002B signed on May 27, 1982. This provision supersedes a portion of the revisions identified under paragraph (c)(18).

(27) Revision for Lydall and Foulds Division of Lydall, Inc., submitted by the Commissioner of the Connecticut Department of Environmental Protection on December 17, 1982 and January 5, 1983, allowing the facility to burn higher sulfur oil under the State Energy Trade Program.

(28) Revision for Simkins Industries, Inc., in New Haven submitted by the Commissioner of the Connecticut Department of Environmental Protection on January 19, 1983, allowing the facility to burn higher sulfur oil under the Sulfur Energy Trade Program.

(29) Attainment plan revisions to meet the requirements of Part D for ozone were submitted by the Department of Environmental Protection on December 10, 1982 and May 19, 1983. These revisions control volatile organic compound (VOC) emissions from solvent metal cleaners through emission limitations contained in Regulation 19-508-20(*1*) and supporting narrative committing the DEP to implement an educational program for automobile repair facilities. Approval of these revisions allowed EPA to rescind the moratorium on construction and modification of major sources of VOCs which had been in effect since October, 1982.

(30) Revision for Loomis Institute in Windsor, submitted by the Commissioner of the Connecticut Department of Environmental Protection on March 30 and July 13, 1983, allowing the facility to burn 2.0 percent sulfur oil under the Sulfur Energy Trade Program.

(31) Revisions demonstrating the attainment and maintenance of the lead standard were submitted on October 18, 1983.

(32) Attainment plan revisions to meet the requirements of Part D for ozone and carbon monoxide were submitted by the Department of Environmental Protection on December 10, 1982, January 7, 1983, January 21, 1983, May 19, 1983, June 15, 1983, September 19, 1983, and December 15, 1983. The revisions control volatile organic compound (VOC) and carbon monoxide emissions through a mix of stationary and mobile source controls

EPA approval includes the following regulatory provisions:

(i) Regulation 22a-174-20(ee) limiting emissions from major nonCTG source categories, and

(ii) Regulations 22a-174-27 and 14-164c describing the requirements for Connecticut's motor vehicle Inspection and Maintenance Program.

(33) Revision to Regulation 19-508-20(cc), "Alternative Emission Reductions" [made part of the SIP under paragraph (c)(23) of this section] to add Regulation 19-508-20(ee) to the list of VOC regulations that may be met by bubbling under Connecticut's generic rule after source-specific RACT determinations have been made part of the SIP. Revisions requiring sources subject to Regulation 19-508-20(ee) to comply with 19-508-20 (aa), (bb), and (dd). These revisions were submitted by the Connecticut Department of Environmental Protection on September 20, 1983.

(34) Revisions to the Ozone Attainment Plan were submitted by the Commissioner of the Connecticut Department of Environmental Protection on April 22, 1985.

(i) Incorporation by reference.

(A) Amendments to Regulation 22a-174-1, Definitions; Regulation 22a-174-20(a), Storage of Volatile Organic Compounds; Regulation 22a-174-20(b), Loading of Gasoline and Other Volatile Organic Compounds; and Regulation 22a-174-20(k), Restrictions on Cutback Asphalt, effective December 17, 1984.

(ii) Additional material.

(A) *Source Test Guidelines and Procedures*

(B) *Workshop Manual for Gasoline Tank Truck Certification*

(C) Appendix B of *Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems* (EPA-450/2-78-051.

(35) Revisions to the State Implementation Plan were submitted December 15, 1980 and May 16, 1985 by the Commissioner of the Department of Environmental Protection.

(i) Incorporation by reference:

(A) Amendments to Department of Environmental Protection Regulation 19-508-24(a)(4), "Acceptable Method" adopted by the State on October 8, 1980.

(ii) Additional material:

(A) A letter dated May 16, 1985 certifying that an "Acceptable Method" shall be interpreted to mean that any monitoring method used to collect ambient air pollution data used for attainment status evaluation or designation must be approved by EPA.

(36) Revision to the State Implementation Plan submitted on April 18, 1986, by the Commissioner of the Department of Environmental Protection.

(i) Incorporated by reference:

(A) State Order No. 943 for Connecticut Charcoal Co., effective April 18, 1986, establishing and requiring reasonably available control technology for the control of volatile organic compounds from this facility.

(37) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on April 18, 1986 and February 3, 1987.

(i) Incorporation by reference.

(A) State Order No. 944 for King Industries, Inc. dated April 18, 1986 which establishes and requires reasonably available control technology for the control of volatile organic compounds from this facility.

(B) A letter from the Connecticut Department of Environmental Protection dated February 3, 1987 which states that the effective date of State Order No. 944 is May 28, 1986.

(38) Revisions to the State Implementation Plan were submitted by the Connecticut Department of Environmental Protection (DEP) on April 14, 1987.

(i) Incorporation by reference.

(A) Letter dated April 14, 1987 from the Connecticut Department of Environmental Protection submitting revisions to the State Implementation Plan for EPA approval.

(B) Letter dated April 1, 1987 from the Secretary of State of Connecticut to EPA.

(C) Section 22a-174-20(x) of Connecticut's Regulations for the Abatement of Air Pollution titled, "Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical &

Polymer Manufacturing Equipment," effective April 1, 1987.

(D) Section 22a-174-20(y) of Connecticut's Regulations for the Abatement of Air Pollution titled, "Manufacture of Polystyrene Resins," effective April 1, 1987.

(E) Amendments to subsection 22a-174-20(bb) of Connecticut's Regulations for the Abatement of Air Pollution titled, "Compliance Methods," effective April 1, 1987.

(ii) Additional materials.

(A) Letter from the Connecticut DEP dated July 3, 1986 committing the Connecticut DEP to use only EPA approved test methods when requiring the testing of sources emitting volatile organic compound emissions.

(B) Letter from the Connecticut DEP dated May 29, 1987 certifying that there are no polypropylene or high-density polyethylene manufacturers in the State of Connecticut.

(39) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on August 24, 1987.

(i) Incorporation by reference.

(A) Letter from the Connecticut Department of Environmental Protection dated August 24, 1987 submitting a revision to the Connecticut State Implementation Plan.

(B) State Order No. 8007 for Belding Corticelli Thread Company dated July 13, 1987.

(40) [Reserved]

(41) Revision to the Connecticut State Implementation Plan submitted by the Commissioner of the Department of Environmental Protection o February 3, 1987.

(i) Incorporation by reference:

(A) A letter from the Connecticu Department of Environmental Protection dated February 3, 1987 which states that the effective date of State Order No. 943, approved previously, for Connecticut Charcoal Co. is May 28, 1986.

(42) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on October 27, 1987.

(i) Incorporation by reference.

(A) Letter from the Connecticut Department of Environmental Protection dated October 27, 1987 submitting a revision to the Connecticut State Implementation Plan.

(B) State Order No. 8013 and attached Compliance Timetable for Raymark Industries, Incorporated in Stratford, Connecticut effective on September 24, 1987.

(ii) Additional materials.

(A) Technical Support Document prepared by the Connecticut Department of Environmental Protection providing a complete description of the reasonably available control technology determination imposed on the facility.

[37 FR 10855, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.370, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.371 Classification of regions.

The Connecticut plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozo
New Jersey-New York-Connecticut Interstate	I	I	I	I	
Hartford-New Haven-Springfield Interstate	I	I	III	I	
Northwestern Intrastate	III	III	III	III	
Eastern Intrastate	II	III	III	III	

[37 FR 10855, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 84787, Dec. 1980]

§ 52.372 Extensions.

The Administrator hereby extends until December 31, 1987 the attainment dates for carbon monoxide and for ozone.

[45 FR 84787, Dec. 23, 1980]

§ 52.373 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Connecticut's plan, as identified in § 52.370 for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by January 1, 1981 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(a) The Administrator approves the general procedures of the state's sulfur control regulations (19-508-19) and accompanying narrative submitted on October 23, 1981, and November 4, 1981 and identified under § 52.370, paragraph (c)(18), provided that any individual source approvals granted by the state under the Air Pollution Control/Energy Trade Option and solid fuel burning permitting system are submitted to EPA as SIP revisions.

(b) The Administrator approves the total suspended particulate regulation for foundry sand processes as submitted and identified under paragraph (c)(22) of this section. This includes *only* the requirement to remove ninety percent of the particulate matter and *not* the requirement to emit not more than 0.75 pounds of particulate per ton of material cast, a provision which may be found in state regulation 19-508-18(f)(3).

[45 FR 84787, Dec. 23, 1980, as amended at 46 FR 56615, Nov. 18, 1981; 47 FR 41959, Sept. 23, 1982]

§ 52.374 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Connecticut's plan.

Air quality control region[1] and nonattainment area	Pollutant						
	TSP		SO_x		NO_x	CO	O_x
	Primary	Secondary	Primary	Secondary			
AQCR 41: Eastern Ct. Intrastate	a	b	a	c	a	a	d
AQCR 42:							
Hartford-New Haven-Springfield Interstate		b	a	c	a	d	d
Waterbury	e						
Remainder of AQCR	a						
AQCR 43:							
NY-NJ-CT Interstate		b	a	c	a	d	d
Greenwich	e						
Remainder of AQCR	a						
AQCR 44: Northwestern Ct. Interstate	a	b	a	c	a	a	d

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.374 (1979).

a. Air quality levels presently below primary standards or area is unclassifiable.
b. 18 month extension for plan submittal granted; attainment date not yet proposed.
c. Air quality levels presently below secondary standards or area is unclassifiable.
d. December 31, 1987.
e. December 31, 1982.

[45 FR 84787, Dec. 23, 1980]

§ 52.375 Certification of no sources.

The State of Connecticut has certified to the satisfaction of EPA that no sources are located in the state which are covered by the following Control Technique Guidelines:

(a) Large Petroleum Dry Cleaners.

(b) Natural Gas/Gasoline Processing Plants.

(c) Air Oxidation Processes/SOCMI.

(d) Manufacturers of High-density Polyethylene and Polypropylene Resins.

[50 FR 37178, Sept. 12, 1985, as amended at 53 FR 17936, May 19, 1988]

§§ 52.376—52.378 [Reserved]

§ 52.379 Maintenance of national standards.

(a) The area listed below, which was identified by the State of Connecticut, is hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violations of the specified air quality standards within 10 years.

(1) The Connecticut Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, carbon monoxide, and photochemical oxidants.

(ii) Geographical composition of area:

All portions of the New York-New Jersey-Connecticut, and Hartford-New Haven-Springfield Interstate Air Quality Control Regions (as defined in 40 CFR Part 81) that are located within the State of Connecticut.

[40 FR 23752, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.380 Rules and regulations.

(a) All facilities owned, operated or under contract with the Connecticut Transportation Authority shall comply in all respects with Connecticut Regulations for the Abatement of Air Pollution sections 19-508-1 through 19-508-25 inclusive, as approved by the Administrator.

(b) For the purposes of paragraph (a) of this section the word "Administrator" shall be substituted for the word "Commissioner" wherever that word appears in Connecticut Regulations for the Abatement of Air Pollution sections 19-508-1 through 19-50 25 inclusive, as approved by the Administrator.

(c) The June 27 and December 2 1979, February 1, May 1, September and November 12, 1980 revisions a approved as satisfying Part D requir ments under the following condition

(1) [Reserved]

(2) Submittal by December 15, 19 of a revision to Regulation 19-508- (1) (solvent metal cleaning) to be co sistent with the CTG or a showin that the VOC emissions in the prese regulation are within five (5) perce of the VOC emissions which would b allowed if the CTG recommendatio were followed.

(d) Non-Part D-No Action: EPA neither approving nor disapprovin the following elements of the rev sions:

(1)-(2) [Reserved]

(3) The program to review new an modified major stationary sources attainment areas (prevention of sign icant deterioration).

(4) Permit fees

(5) Stack height regulations

(6) Interstate pollution requiremen

(7) Monitoring requirements

(8) Conflict of interest provisions.

(9) Use of 1 percent sulfur conte fuel by the following residual oil bur ing sources, identified under § 52.37 paragraph (c)(18).

(i) Northeast Utilities, HELC Power Station in Middletown,

(10) Emergency Fuel Variance pro sions of Regulation 19-508-19 (a)(2)(identified under § 52.370 paragra (c)(18).

(e) *Disapprovals.* (1) Regulation 1 508-19(a)(9) concerning coal use educational and historical exhibits a demonstrations, identified und § 52.370, (c)(18).

(2) Regulation 19-508-19, subsecti (a)(4)(iii)(C) and (a)(4)(iii)(E) concer ing fuel merchants, identified und § 52.370, paragraph (c)(18).

[40 FR 23280, May 29, 1975, as amended 45 FR 84787, Dec. 23, 1980; 46 FR 34 July 6, 1981; 46 FR 56615, Nov. 18, 1981; FR 62062, Dec. 22, 1981; 47 FR 763, Jan. 1982; 47 FR 36823, Aug. 24, 1982; 47 41959, Sept. 23, 1982; 47 FR 49646, Nov. 1982; 47 FR 51129, Nov. 12, 1982; 48

4, Feb. 8, 1983; 50 FR 50907, Dec. 13, 85]

2.381 [Reserved]

2.382 Significant deterioration of air quality.

a) The requirements of sections 160 rough 165 of the Clean Air Act are t met, since the plan does not inde approvable procedures for preting the significant deterioration air quality.

b) Regulations for preventing sigficant deterioration of air quality. e provisions of § 52.21 (b) through) are hereby incorporated and made part of the applicable State plan for e State of Connecticut.

3 FR 26410, June 19, 1978, as amended at FR 52741, Aug. 7, 1980]

2.383 Stack height review.

The State of Connecticut has deared to the satisfaction of EPA that existing emission limitations have en affected by stack height credits eater than good engineering practice any other prohibited dispersion chniques as defined on EPA's stack ight regulations as revised on July 1985. Such declarations were subitted to EPA on February 21, 1986 d May 27, 1986.

2 FR 49407, Dec. 31, 1987]

Subpart I—Delaware

2.420 Identification of plan.

(a) Title of plan: "State of Delaware plementation Plans for Attainment d Maintenance of National Ambient r Quality Standards."

(b) The plan was officially submitted n January 28, 1972.

(c) The plan revisions listed below ere submitted on the dates specified.

(1) Certification that public hearing s held on plan submitted on Februy 11, 1972, by the Department of tural Resources and Environmental ntrol.

(2) Information on the geometric andard deviations of air quality data bmitted on March 7, 1972, by the epartment of Natural Resources and vironmental Control.

(3) Miscellaneous non-regulatory clarifications and amendments to the plan submitted on May 5, 1972, by the Department of Natural Resources and Environmental Control.

(4) Specification of attainment dates submitted on June 2, 1972, by the Department of Natural Resources and Environmental Control.

(5) Periodic stack sampling requirements submitted on June 5, 1972, by the Department of Natural Resources and Environmental Control.

(6) Miscellaneous non-regulatory additions to the plan submitted on July 20, 1972, by the Delaware Water and Air Resource Commission.

(7) Backup information for the attainment of the Secondary SO_x standards in New Castle County submitted on November 14, 1972, by the Department of Natural Resources and Environmental Control.

(8) Backup information for the attainment of the Secondary SO_x standards in New Castle County submitted on December 19, 1972, by the Department of Natural Resources and Environmental Control.

(9) Amendments to Regulations I through XIV inclusive of the Delaware Regulations Governing Air Pollution, and Amendments to the Delaware Environmental Protection Act; submitted on January 16, 1975 by the Delaware Department of Natural Resources and Environmental Control.

(10) Amendments to Section V (Surveillance) of the Delaware State Implementation Plan and amendments to Section V (Surveillance) of the New Castle County Portion of the Delaware State Implementation Plan, covering changes to the air pollution monitoring system; submitted on September 3, 1975 by the Delaware Department of Natural Resources and Environmental Control.

(11) A Consent Order for the Getty Oil Company and the Delmarva Power and Light Company submitted on August 5, 1975 by the Delaware Department of Natural Resources and Environmental Control.

(12) Amendments to Regulations No. V, XIV, XVII, and a newly adopted Regulation No. XXIII (Standards of Performance for Steel Plants: Electric Arc Furnaces); and a Court of Chan-

cery injunction to control charging and tapping emissions for the Phoenix Steel Corporation's plant in Claymont, Delaware submitted on December 2, 1977 and October 5, 1978, respectively, by the Department of Natural Resources and Environmental Control.

(13) On May 3, 1979, the Governor submitted the nonattainment area plan for New Castle County with respect to ozone.

(14) A revision submitted by the State of Delaware on October 5, 1978 to eliminate certain outdated requirements relating to Regulations V and XVIII and correction of typographical errors relating to Regulations III, VIII, and XV.

(15) A revision submitted by the State of Delaware on March 19, 1980 which is intended to establish an Ambient Air Quality Monitoring Network.

(16) Revisions to Delaware's Regulations I, II, III, IV, VIII, XII, XIV, XV, and XVII submitted by the Delaware Department of Natural Resources and Environmental Control on March 19, 1980.

(17) A revision submitted by the State of Delaware on September 7, 1977, consisting of an amendment to Delaware Regulations Governing Air Pollution, Regulation XVII, establishing continuous emission monitoring regulations.

(18) A revision submitted by the District of Columbia on May 16, 1979 which is intended to establish an Ambient Air Quality Monitoring Network.

(19) A commitment to use available grants and funds to establish, expand, and improve public transportation to meet basic transportation needs, submitted on August 15, 1979 by the Delaware Transportation Authority.

(20) A revised schedule for implementation of Delaware's inspection and maintenance program submitted by September 10, 1980 by the Secretary, Delaware Department of Natural Resources and Environmental Control.

(21) [Reserved]

(22) A revision submitted by the State of Delaware on August 7, 1978 consisting of two Executive Orders for financial disclosure of certain State officials.

(23) Amendments to Regulations I (Definitions) and XXIV (Control of Organic Compounds Emissions) sub mitted on December 23, 1980 by th Secretary, Delaware Department o Natural Resources and Environmenta Control.

(24) A State Implementation Pla for the Control of lead emissions sub mitted on December 23, 1980 by th Secretary, Delaware Department o Natural Resources and Environmenta Control.

(25) A revised schedule for impl mentation of Delaware's inspectio and maintenance program submitte on December 29, 1980 by the Secre tary, Delaware Department of Natur Resources and Environmental Contro

(26) Amendments to Regulation I (Registration and Permits) and XII (Open Burning) [non-regulatory] o the Delaware Regulations governin the Control of Air Pollution submitte on September 22, 1981 by the Secre tary, Department of Natural Re sources and Environmental Control.

(27) Amendments to Section 9. (Surface Coating operations) and 13. (Dry Cleaning) of Regulation XXI (Control of Volatile Organic Com pound Emissions) of the Delawar Regulations governing the Control o Air Pollution submitted on Septembe 22, 1981 by the Secretary, Departmen of Natural Resources and Enviro mental Control.

(28) Amendments to Regulations (Definitions) and XXV Section (Re quirements for Preconstructio Review) pertaining to prevention o significant deterioration submitted o December 29, 1980 by the Secretar Delaware Department of Natural Re sources and Environmental Control.

(29) A February 27, 1981 letter fro the Delaware Department of Natur Resources and Environmental Contro to EPA pertaining to procedures of no tifying EPA of any PSD applicatio for sources locating within 100 kilom ters of a Class I PSD area, as well ensuring EPA in any monitoring pr cedure, that the requirements of 4 CFR Part 58 will be specified.

(30) A revision submitted by th State of Delaware on October 14, 198 consisting of amendments to Regul tion No. II—Permits.

(31) Plan Revision providing for a tainment of the Ozone standard su

itted by *John E. Wilson, III* to EPA
July 6, 1982.

(32) Stack height regulation, public
otification plan, and other miscella-
eous revisions submitted to EPA on
pril 20, 1983.

(33) A revision submitted by the
tate of Delaware on September 26,
983 consisting of amendments to Sec-
on 2.3 of Regulation Number XIV,
ection 2.3 of Regulation Number VII,
d Section 9.7 and Table I(a) to Reg-
lation Number XXIV of the Dela-
re Regulations Governing the Con-
ol of Air Pollution.

(34) Revisions to the Delaware Regu-
tions Governing the Control of Air
ollution were submitted by the Sec-
tary on August 8, 1984.

(i) *Incorporation by reference.* (A)
endments to Regulations II (Per-
its); XIII (Open Burning); XIV (Visi-
e Emissions); and XVII (Source
onitoring, Record Keeping and Re-
rting).

(35) Revisions submitted by the
tate of Delaware on June 5, 1985
ending the State of Delaware Regu-
tions Governing the Control of Air
ollution, Regulation Nos. VIII, XIII,
d XXVI.

(i) *Incorporation by reference.* (A)
evisions via Order No. 85-A-3 Exhib-
A Amendment Nos. 2, 3, and 5, to
e State of Delaware Regulations
overning the Control of Air Pollu-
n, Regulations VIII sections 2.1–2.4,
II section 1.2, and XXVI Table 2,
rtaining to sulfur in fuel oil, open
rning, and motor vehicle emission
ting, respectively. These revisions
were adopted by the Department of Natural Resources and Environmental Control on May 9, 1985.

(ii) *Additional information.* (A) A letter dated July 9, 1985 from Secretary John E. Wilson, III to Mr. James M. Self, withdrawing certain portions of the original SIP revision request pertaining to asbestos, New Source Performance Standards (Regulation No. XX), and Emission Standards for Hazardous Air Pollutants (Regulation No. XXI).

(B) A letter dated July 9, 1986 from Mr. Robert R. French to Mr. James Sydnor withdrawing the request to delete the definitions of "Reconstruction" and "Capital Expenditure" from their new source review regulations (Regulations I and XXV).

(36) [Reserved]

(37) Revision submitted by the State of Delaware on March 6, 1987, consisting of amendment to Regulation II-Permits.

(i) *Incorporation by reference.* State of Delaware Order No. 87-A-2 (Introduction, Findings of Fad and (1) of the order which amends section 2.7 of Regulation II) which was issued on February 18, 1987.

[37 FR 10856, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.420, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.421 Classification of regions.

The Delaware plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
politan Philadelphia Interstate	I	I	III	I	I
ern Delaware Intrastate	III	III	III	III	III

FR 10856, May 31, 1972, as amended at 39 FR 16345, May 8, 1974]

422 Approval status.

With the exceptions set forth in this
part, the Administrator approves
aware's plan for the attainment
and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satis-

fies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 14558, Mar. 6, 1980]

§§ 52.423–52.425 [Reserved]

§ 52.426 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Delaware.

[39 FR 7280, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.427 Extensions.

The Administrator hereby extends to December 31, 1987, the attainment date for ozone in New Castle County.

[45 FR 14559, Mar. 6, 1980]

§ 52.428 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in the Delaware plan.

Air quality control region	Pollutant [1]						
	Particulate matter		Sulfur oxides		NO_x	CO	O
	Primary	Secondary	Primary	Secondary			
Metropolitan Philadelphia Interstate							
Wilmington	d	d	a	c	d	c	
Portions of Newark as defined in 40 CFR Part 81	d	d	a	c	d	c	
Remainder of AQCR	a	b	a	c	d	c	
Southern Delaware Intrastate	d	d	d	d	d	d	

a. January 1972.
b. January 1973.
c. January 1974.
d. Below Secondary Standards or Unclassifiable.
e. Dec. 31, 1987.

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Cl Air Amendments remain obligated to comply with those requirements by the earlier deadlines. (40 CFR 52.426, 197

[37 FR 15082, July 27, 1972, as amended at 38 FR 13562, May 23, 1973; 39 FR 16345, May 1974; 45 FR 14559, Mar. 6, 1979]

§ 52.429 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwi noted.

Source	Location	Regulation involved	Date of adoption	Effective date	Final complia date
Stauffer Chemical Co	Delaware City	IX	Sept. 11, 1972	Immediately	Jan. 1, 1974.
Getty Oil Co	do	IX	Sept. 24, 1972	do	Sept. 30, 1973.
Delmarva Power and Light Co.	do	VIII	Dec. 11, 1972	do	Jan. 1, 1974.

[38 FR 13562, May 23, 1973, as amended at 38 FR 14375, June 1, 1973; 38 FR 14753, June 5,
973; 51 FR 40676, Nov. 7, 1986]

§ 52.430 [Reserved]

§ 52.431 Maintenance of national standards.

(a) The requirements of § 51.110(h)
of this chapter are not met since the
State neither identified areas of the
State that have the potential for viola-
tion of air quality standards within 10
years nor provided a justification that
there are no such areas in the State.

(b) Based upon information avail-
able to him, the Administrator does
not identify any areas pursuant to
§ 51.110 (h) and (i) of this chapter as
having the potential for violation of
national ambient air quality standards
within 10 years.

0 FR 41949, Sept. 9, 1975, as amended at
1 FR 40676, Nov. 7, 1986]

52.432 Significant deterioration of air quality.

(a) The requirements of sections 160
hrough 165 of the Clean Air Act are
ot met, since the plan does not in-
lude approvable procedures for pre-
enting the significant deterioration
f air quality.

(b) Regulation for preventing signifi-
ant deterioration of air quality. The
rovisions of § 52.21(l)(2) and (p) are
ereby incorporated and made a part
f the applicable State plan for the
tate of Delaware.

(c) Pursuant to 40 CFR 52.21(u) full
elegation of authority for all portions
f the Federal PSD program, as de-
ribed in 40 CFR 52.21, was relin-
uished to the State of Delaware as of
ne 15, 1981. All applications submit-
d as of that date and supporting in-
mation required pursuant to § 52.21
om sources located in the State of
elaware shall be submitted to: Dela-
re Department of Natural Re-
urces and Environmental Control,
r Resources Section, Division of En-
onmental Control, Edward Tatnall
ilding, P.O. Box 1401, Dover, Dela-
re 19901.

FR 52741, Aug. 7, 1980, and 46 FR 31262,
e 15, 1981, as amended at 47 FR 11014,
r. 15, 1982]

Subpart J—District of Columbia

§ 52.470 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(b) The above plan was officially submitted on January 31, 1972, by the Mayor/Commissioner.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Control strategies for sulfur oxides and particulate matter were defined by the District's "Implementation Plan for Controlling Sulfur Oxide and Particulate Air Pollutants" submitted on August 14, 1970, by the District of Columbia.

(2) Addition to Permit to Construct regulation, Section 8-2:720 of the District of Columbia Control Regulations, plus miscellaneous non-regulatory revisions to the plan submitted April 28, 1972, by the District of Columbia.

(3) Particulate matter emission rate graph submitted on January 29, 1973, by the Department of Environmental Services.

(4) Plan revisions were submitted on January 29, 1973, by the Department of Environmental Services.

(5) Transportation Control Plans for the District of Columbia's portion of National Capital AQCR submitted on April 20, 1973, by the Mayor/Commissioner.

(6) Amendments to the Transportation Control Plan for the District of Columbia submitted on July 9, 1973, by the Mayor/Commissioner.

(7) Amendments to the Transportation Control Plan for the District of Columbia submitted on July 16, 1973, by the Mayor/Commissioner.

(8) Amendments to Sections 8-2:702 (Definitions) and 8-2:707, (Control of Organic Compounds), subsections (a), (b), (c), (d), (e), and (f) of the District of Columbia Air Quality Control Regulations submitted on March 22, 1974 by the Mayor/Commissioner.

(9) Amendments to Sections 8-2:704 and 8-2:705 of the District of Columbia Air Quality Control Regulations

submitted on February 25, 1976 by the Mayor.

(10) Section 8-2:709 and Section 8-2:724 are amended to limit particulate emissions to .08 grains per day standard cubic foot at Solid Waste Reduction Center #1 (S.W.R.C. #1) and allow continued operation of S.W.R.C. #1 respectively; submitted July 17, 1975 by the District of Columbia.

(11) Amendments to Sections 8-2:704 (Use of Certain Fuel Oils Forbidden), 8-2:705 (Use of Certain Coal Forbidden), and 8-2:713 (Visible Emissions) of the District of Columbia Air Quality Control Regulations submitted on March 3, 1977 by the Mayor.

(12) Amendments to Sections 8-2:702 (Definitions), 8-2:708 (Fuel Burning Particulate Emission) and 8-2:720 (Permits to Construct or Modify, Permits to Operate); an amendment deleting Appendix 1 from the District of Columbia Air Quality Control Regulations submitted by the Mayor on May 25, 1978.

(13) Amendments to Sections 8-2:704 (Allowable Sulfur Content in Fuel Oil) and 8-2:705 (Allowable Sulfur Content in Coal) of the District's Air Quality Control Regulations submitted on December 27, 1978, by Mayor Walter E. Washington is hereby approved until December 31, 1980.

(14)-(15) [Reserved]

(16) Amendments to Sections 8-2:702 (Definition Changes), 8-2:708 (Performance Testing), 8-2:713 (Visible Emissions), 8-2:718 (Emission Testing), 8-2:726 (Penalties) of the District's Air Quality Control Regulations, and Section 6-812(a)(5) (Penalties) of the District of Columbia's Air Quality Control Act submitted on December 27, 1978 by Mayor Walter E. Washington.

(17) Amendments to Sections 8-2:704 (Allowable Sulfur Content in Fuel Oil) and 8-2:705 (Allowable Sulfur Content in Coal) of the District's Air Quality Control Regulations submitted on December 27, 1978, by Mayor Walter E. Washington are approved indefinitely.

(18) Amendments to Regulations I (Definitions), XXIV (Control of Volatile Organic Compounds Emissions) and XXV (Requirements for Preconstruction Review) submitted on March 19, 1980 by the Secretary, Delaware Department of Natural Resources an Environmental Control.

(19) The Plan revision entitled "R visions to the Implementation Plan fo the District of Columbia for Attai ment of the National Ambient A Quality Standards for Particulate Oxidants and Carbon Monoxide" fo all areas designated nonattainment a of March 3, 1978 and September 1 1978 submitted on December 26, 197 by the Mayor. Included was a reques for revocation and/or revision of sec tions of Subpart J which have been mooted by court decision (*District o Columbia* v. *Costle*, 567 F. 2d 109 (D.C. Cir. 1977)), Congressional action or rescission by EPA.

(20) Inspection and Maintenanc Program Amendments to the transpor tation control portion of the nonat tainment plan were submitted by th Mayor on September 7, 1979 and Ma 6, 1981.

(21) Amendments to the District' Air Quality Control Regulations fo control of particulate matter, carbo monoxide and ozone were submitted by the Mayor on June 23, 1981.

(22) The Washington, D.C. Imple mentation Plan for maintaining th National Ambient Air Quality Stand ard for lead submitted on October 7 1982 by the Mayor.

(23) Revision for Public Notificatio of Air Quality, submitted on Decem ber 5, 1983.

(24) Revision for Conflict of Interest procedures, submitted on December 6, 1983.

(25) Plan revision, excluding the re quired vehicle emission inspection program, providing for attainment of the Ozone and Carbon Monoxide Standards, submitted by the District of Columbia on December 28, 1982 and April 15, 1983.

(26) Revision to the 1982 District of Columbia Ozone and Carbon Monoxide Attainment Plan consisting of a approvable vehicle emission inspectio and maintenance program, therefore completing all necessary requirement for attainment of the Ozone and Carbon Monoxide standards; submitted by the Mayor on May 3, 1985. Se paragraph (c)(25) of this section fo date of original submittal.

(i) Incorporation by reference.

A) Amendment to section 604 (Vehi-
Inspection: Rejected Vehicles) of
le 18 of the District of Columbia
nicipal Regulations as published in
District of Columbia Register on
vember 23, 1984.

FR 19814, Sept. 22, 1972]

DITORIAL NOTE: For FEDERAL REGISTER ci-
ons affecting § 52.470, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.471 Classification of regions.

The District of Columbia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
al Capital Interstate	I	I	III	I	I

FR 10857, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 46 FR 61263, Dec. 16,
1]

472 Approval status.

) With the exceptions set forth in
subpart, the Administrator ap-
ves the District of Columbia's plan
the attainment and maintenance
the national standards.

) With respect to the transporta-
n control strategies submitted on
ril 19, July 9, and July 16, 1973, the
ministrator approves the measures
parking surcharge, car pool loca-
, vehicle inspection, express bus
es, increased bus fleet and service,
mination of free parking by private
ployers, with exceptions set forth
§§ 52.476, 52.483, 52.486, and 52.479.

(c) With the exceptions set forth in
subpart, the Administrator ap-
ves the District of Columbia's plan
the attainment and maintenance
the national standards under sec-
n 110 of the Clean Air Act. Further-
re, the Administrator finds that the
n satisfies all requirements of Part
Title 1, of the Clean Air Act as
ended in 1977.

FR 33709, Dec. 6, 1973, as amended at 46
61263, Dec. 16, 1981]

473 Extensions.

The Administrator hereby extends
date for attainment of the ozone
d carbon monoxide National Ambient Air Quality Standards in the District of Columbia portion of the National Capital Interstate Air Quality Control Region to allow for attainment of the NAAQS as expeditiously as possible but no later than December 31, 1987.

[46 FR 61263, Dec. 16, 1981]

§§ 52.474—52.478 [Reserved]

§ 52.479 Source surveillance.

(a) [Reserved]

(b) The requirements of § 51.213 are not met with respect to the strategies for carpool locator service. The remaining transportation measures in the previously federally-promulgated implementation plan have been mooted by court decision (*District of Columbia* v. *Costle*, 567 F. 2d 1091 (D.C. Cir 1977)) or rescinded by EPA.

[46 FR 61263, Dec. 16, 1981, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.480 [Reserved]

§ 52.481 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in the District of Columbia plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone[1]
	Primary	Secondary	Primary	Secondary			
National Capital Interstate	a[2]	a[3]	b[4]	b[3]	b[4]	c[5]	c[5]

a December 31, 1982.

b Air quality levels presently below secondary standards.

c As expeditiously as practicable but not later than December 31, 1987.

[1] Previously "Photochemical Oxidants (hydrocarbons)."

[2] Previously 13 years from plan approval or promulgation.

[3] Previous footnote: Transportation and/or land use control strategy to be submitted no later than April 15, 1973.

[4] Previous footnote: Air quality levels presently below secondary standard.

[5] Previous footnote: May 31, 1977.[2]

NOTE: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are provided as numeric footnotes in this chart.

[37 FR 19814, Sept. 22, 1972, as amended at 46 FR 61263, Dec. 16, 1981]

§§ 52.482—52.496 [Reserved]

§ 52.497 Maintenance of national standards.

(a) The requirements of § 51.110(h) and § 51.103 of this chapter are not met since the District neither identified areas of the District that have the potential for violation of air quality standards within 10 years nor provided a justification that there are no such areas in the District.

(b) The area listed below is hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified area consists of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) National Capital Interstate Air Quality Maintenance Area (District of Columbia Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

District of Columbia.

[40 FR 41949, Sept. 9, 1975, as amended at 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.498 [Reserved]

§ 52.499 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the District of Columbia.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

Subpart K—Florida

§ 52.520 Identification of plan.

(a) Title of plan: "State of Florida Air Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Notification of adoption of standard procedures to test and evaluate air pollution sources submitted on April 10, 1972, by the Florida Department of Pollution Control.

(2) Miscellaneous non-regulatory additions to the plan submitted on May 5, 1972, by the Florida Department of Pollution Control.

(3) Compliance schedules submitted on June 1, 1973, by the Florida Department of Pollution Control.

(4) Compliance schedules submitted on August 6, 1973, by the Florida Department of Pollution Control.

(5) Revision of the State permit system to include indirect sources, Section III, Chapter 17-2, submitted on September 25, 1973, by the Florida Department of Pollution Control.

(6) Compliance schedules submitted on February 26, 1974, by the Florida Department of Pollution Control.

(7) Identification of ten AQMA's submitted on May 30, 1974, by the Florida Department of Pollution Control.

(8) Request that EPA defer identification of seven AQCR's submitted on September 25, 1974, by the Florida Department of Pollution Control.

(9) Additional information relating to the September 25, 1974, deferral request submitted on November 21, 1974, by the Florida Department of Pollution Control.

(10) Additional information relating to the September 25, 1974, deferral request submitted on January 9, 1975, by the Florida Department of Pollution Control.

(11) Revision to SO$_2$ emission limits for sulfur recovery plants and sulfuric acid plants submitted on February 12, 1975, by the Florida Department of Pollution Control.

(12) Request for deletion of four AQMA's from the AQMA identification list submitted on March 31, 1975, by the Florida Department of Pollution Control.

(13) Additional information supporting the March 31, 1975, deletion request submitted on April 9, 1975, by the Florida Department of Pollution Control.

(14) Additional information supporting the March 31, 1975, deletion request submitted on April 15, 1975, by the Florida Department of Pollution Control.

(15) Revised limits on sulfur dioxide emissions from fossil-fuel-fired steam generators were submitted on July 28, 1975, by the Department of Environmental Regulation. (No action is taken on these new limits as they apply to Duval County.)

(16) Revised ambient sulfur dioxide standards for Broward, Dade, and Palm Beach Counties, submitted on December 15, 1975, by the Florida Department of Environmental Regulation.

(17) Revised burning rule for cold or frost protection, submitted on January 14, 1976, by the Florida Department of Environmental Regulation.

(18) 1979 implementation plan revisions for nonattainment areas, (sulfur dioxide and ozone), submitted on April 30, 1979, as supplemented with August 27, 1979 and January 23, 1980 submittals by the Florida Department of Environmental Regulation.

(19) Variance from particulate, sulfur dioxide, and visible emission limits of the plan for units of Florida Power and Light Company's Cape Canaveral, Ft. Myers, Manatee, Riviera, and Sanford plants, submitted on August 31, 1979, and June 23, 1980, by the Florida Department of Environmental Regulation. (The particulate variance for the Port Everglades and Turkey Point plants is disapproved.)

(20) Limited variance from particulate, visible, and excess emissions limits granted to Florida Power and Light for Unit 4 of its Sanford station, submitted on February 4, 1980, by the Department of Environmental Regulation.

(21) The implementation plan revision developed by the Florida DER for the Jacksonville and Tampa TSP secondary nonattainment areas under Part D of Title 1 of the CAA was submitted for EPA's approval on February 27, 1981. The control strategies, as approved and adopted for the local program agencies (the Duval County Bio-Environmental Services Division and the Hillsborough County Environmental Protection Commission) were submitted to EPA on March 16 and April 20, 1982, respectively.

(22) Pursuant to section 127 of the Clean Air Act, the Florida Department of Environmental Regulation submitted on April 15, 1980 a revision to the SIP concerning provisions for public notification and awareness.

(23) The air quality surveillance plan revision was submitted by the Florida Department of Environmental Regulation on December 11, 1979 and updates Florida's SIP to meet EPA requirements as set forth in 40 CFR Part 58 (44 FR 27558, May 10, 1979).

(24) Reformatting of the Rules and Regulations portion of the Florida State Implementation Plan, submitted on May 8, 1978, by the Florida Department of Environmental Regulation.

(25) Revisions to the Sulfur Dioxide Emission Limiting Regulations applicable to specific Fossil Fuel Steam Generators, submitted on November 6, 1978, and February 3, 1979, by the Florida Department of Environmental Regulation.

(26) Request for delegation of authority for PSD submitted on September 22, 1980, by the Department of Environmental Regulation.

(27) Corrections in 1979 revisions for ozone nonattainment areas (Broward, Dade, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties) submitted on May 28, 1980, by the Florida Department of Environmental Regulation to meet conditions of the conditional approval of March 18, 1980 (45 FR 17140).

(28) Revised limits on visible emissions from new sulfuric and nitric acid plants and mass particulate emission limits new Portland cement plants, submitted on July 16, 1976, by the Department of Environmental Regulation.

(29) Revised Opacity Limits for Monsanto Textile Co., Pensacola, Florida, submitted on December 19, 1979, by the Florida Department of Environmental Regulation.

(30) Operating permit for Stauffer Chemical Company, submitted on August 4, 1980, by the Florida Department of Environmental Regulation, to satisfy a condition of the approval of the 1979 revisions for the Pinellas County SO_2 nonattainment area.

(31) Revised ambient CO and TSP standards applicable in Broward, Dade, and Palm Beach Counties, submitted on August 6, 1976, by the Florida Department of Environmental Regulation.

(32) Set II VOC regulations, submitted on August 28, 1980, by the Florida Department of Environmental Regulation.

(33) Amendments to Florida's continuous monitoring rule, submitted on January 27, 1978, by the Department of Environmental Regulation.

(34) Revisions in Sections 17-2.21 and 17-2.32 of the Florida Administrative Code, adopting, in part, Federal NSPS and NESHAPS regulations, submitted by the Florida Department of Environmental Regulation on August 28, 1980.

(35) Revision of gasoline bulk plant rule, submitted on October 15, 1980, by the Florida Department of Environmental Regulation.

(36) Variance granted to Florida Power and Light Company for Unit 4 of its Sanford station, submitted on August 11, 1981, by the Department of Environmental Regulation. This variance is applicable until July 1, 1984, or until thirty months after EPA approval, whichever, is later, for particulate, visible, and sulfur dioxide emissions.

(37) RACT emission limits and bubble provision for General Portland Inc., Tampa (FAC 17-2.650(2)(c)1.c.), submitted by the Florida Department of Environmental Regulation on August 11, 1981.

(38) Revocation of complex source rules, submitted on August 11, 1981, by the Florida Department of Environmental Regulation.

(39) Emission limits for sources burning carbonaceous fuel, submitted on May 22, 1974, and January 21, 1981, and reformatted on August 11, 1981, by the Florida Department of Environmental Regulation.

(40) Amendments to upset, startup and malfunction rule, submitted on August 12, 1976; revisions to section 17-2.05(14) FAC (excess emissions) and 17-2.05(6) Table II, E., FAC, fossil fuel steam generators-visible emissions, submitted on October 19, 1979; revision describing compliance testing for amendments in section 17-2.05 (14) and (6), submitted on September 24, 1980, by the Department of Environmental Regulation.

(41) Reformatting of the rules and regulations portion of the Florida State Implementation Plan, submitted on August 11, 1981, by the Florida Department of Environmental Regulation.

(42) Revised open burning and frost protection rule and ambient lead standard, submitted on December 23, 1981, by the Florida Department of Environmental Regulation.

(43) On July 14, 1980, the Florida Department of Environmental Regulation (FDER) submitted a revision pertaining to deletion of the regulation on existing petroleum refineries in nonattainment areas and adding test methods for gasoline truck tanks, vapor collection systems, volatile organic compound (VOC) content of coating materials and gasoline bulk terminals for sources located in ozone nonattainment areas. On May 30, 1980, FDER submitted a revision establishing incremental compliance dates for existing VOC sources and extending final compliance dates for certain gasoline service stations. On December 23, 1981, FDER submitted a revision establishing test methods for certain VOC sources, adopting three definitions used in the test methods, and exempting six VOCs.

(44) Revised SO_2 limits for the Gannon Station of Tampa Electric Company, submitted on December 3, 1980, and associated methods of coal sampling and analysis, submitted on February 16, 1982, by the Florida Department of Environmental Regulation.

(45) Revision of the commencement date of the COM test burn period for Florida Power and Light Co.'s Sanford Plant, Unit 4, submitted on March 30, 1982, by the Florida Department of Environmental Regulation.

(46) Miscellaneous regulation changes, submitted on August 11, 1981, by the Florida Department of Environmental Regulation.

(47) Point source emission testing methods submitted on December 30, 1980, and May 29, 1981, by the Florida Department of Environmental Regulation.

(48) Revised ambient standards and episode alert level for ozone, submitted on April 26, 1982, by the Florida Department of Environmental Regulation.

(49) Changes in Open Burning and Frost Protection Fire Rule, submitted on November 15, 1982, by the Florida Department of Environmental Regulation.

(50) Miscellaneous amendents to Chapter 17-2, submitted on December 23, 1982, by the Florida Department of Environmental Regulation.

(51) Regulations for Prevention of Significant Deterioration, submitted on December 23, 1981, and December 23, 1982, by the Florida Department of Environmental Regulation. (No action is taken on the provisions for review involving vessel emissions or nonattainment areas.)

(52) Amendments to Chapter 17-2.650(1)(a) and 17-2.650(2)(a) submitted on February 18, 1983, by the Florida Department of Environmental Regulation. The amendments require all new and modified sources of particulate and volatile organic compounds located in nonattainment areas or in areas of influence for particulate matter to utilize Reasonably Available Control Technology (RACT) if they are not subject to Lowest Achievable Emissions Rate (LAER) provisions.

(53) Changes to Florida Administrative Code (FAC), Chapter 17-2, submitted on August 12, 1983, and June 13, 1984, by the Florida Department of Environmental Regulation (FDER).

(i) Incorporation by reference—

(A) August 12, 1983, letter and April 17, 1984, certification of Administrative Rules filed with the Department of State, from the Florida Department of Environmental Regulation.

(B) Amendments to Florida Administrative Code Rules 17-2.100(132), 17-2.300 (1) and (2), 17-2.400 (1) through (5), 17-2.500(2)(e)3, 17-2.500(2)(e)4.c.(i), 17-2.500(4)(b), 17-2.650(1)(a). These revisions were adopted on July 1, 1983, by the State of Florida Department of Environmental Regulation.

(C) Amendments to Florida Administrative Code Rules 17-2.410 (1) and (3), and 17-2.460, approved on April 17, 1984, by the State of Florida Department of Environmental Regulation.

(ii) Additional material—none.

(54) TSP variance for Jacksonville Kraft Paper Company, submitted on September 2, 1983, by the Florida Department of Environmental Regulation.

(55) State implementation plan for lead, submitted by the Department of Environmental Regulation on September 17, 1984.

(i) Incorporation by reference—

(A) Amendments to Florida Administrative Code, Chapter 17.2-100, Definitions, and 17.2-500 and 510, Applicability (for New Source Review), adopted by the State on January 25, 1984, and September 17, 1984 letter from the Florida Department of Environmental Regulation to EPA.

(ii) Additional material—

(A) Narrative submittal, including an attainment demonstration.

(B) Emissions inventories for lead sources.

(56) Amendments to the Florida Administrative Code (FAC) submitted by the Secretary of the Florida Department of Environmental Regulation (FDER) on May 30, 1985, which deals with source sampling.

(i) Incorporation by reference.

(A) Amendments to 17-2.700 FAC, which deals with source sampling procedures and conditions, adopted on April 3, 1985, by the FDER.

(ii) Additional material.

(A) None.

(57) Changes to Florida Administrative Code (FAC) Chapter 17-2, submitted on May 31, 1985, by the Florida Department of Environmental Regulation (FDER).

(i) Incorporation by reference.

(A) May 31, 1985 letter from the Florida DER, and Amendments to FAC Chapters 17-2.100, 17-2.215, 17-2.540, 17-2.600, 17-2.700 and 17-2.753 which were adopted by the FDER on April 11, 1985. Allow sulfur in the pelletized form to be shipped and handled in the State. Also establish new source review requirements, emission estimating procedures, emission limiting standards, and test procedures for elemental sulfur storage and handling facilities.

(ii) Additional information.

(A) None.

(58) Visibility new source review regulations were submitted to EPA on September 23, 1985.

(i) Incorporation by reference.

(A) Letter of September 23, 1985, from the State of Florida Department of Environmental Regulation, and amendments to Rule 17-2.100 FAC (Definitions), Rule 17-2.220 FAC (Public Notice and Comment), and Rule 17-2.500 FAC (Prevention of Significant Deterioration), adopted by the Florida Department of Environmental Regulation on July 25, 1985.

(59) Post-1982 CO SIP revision fo Dade County, submitted on Septemb 19, 1986, by the Florida Department o Environmental Regulation.

(i) Incorporation by reference none.

(ii) Other material.

(A) Narrative description of analysi performed for CO.

(B) Analysis of East Flagler Stree Carbon Monoxide Exceedances Downtown Miami.

(C) Description of Methodologies t Assess Eight-Hour Nighttime Carbo Monoxide Exceedances.

(D) Identification and Analysis o Potential Carbon Monoxide Hotspot in Dade County, Florida.

(E) Analysis of Transportation Control Measures (TCMs), Dade County Miami.

(60)-(61) [Reserved]

(62) Consent Order was submitte by EPA on August 14, 1986, by th Florida Department of Environment Regulation.

(i) Incorporation by reference.

(A) A Consent Order for Smart-Pa Industries was adopted by the Florid Department of Environmental Regulation on June 17, 1986.

(ii) Additional material—none.

(63) Florida plan for the protectio of visibility in Federal Class I area submitted to EPA on August 27, 198 by the Florida Department of Environmental Regulation (FDER) to satisfy the Part 2 visibility requirements

(i) Incorporation by reference.

(A) May 26, 1988, letter from th Florida Department of Environmental Regulation, and pages 20 and 21 of th Florida plan for the protection of visibility in Federal Class I areas containing the periodic review requirement satisfying 40 CFR 51.306(c), adopte by the Florida Department of Environmental Regulation on August 27 1987.

(ii) Additional material.

(A) Narrative SIP titled "The Florida Plan for the Protection of Visibility in Federal Class I Areas."

[37 FR 10858, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.520, see the List o CFR Sections Affected in the Finding Aid section of this volume.

FFECTIVE DATE NOTE: At 53 FR 24698, e 30, 1988, § 52.520 was amended by ing paragraph (c)(63), effective August 1988.

§ 52.521 Classification of regions.

The Florida plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
ie (Alabama)-Pensacola-Panama City (Florida)-Southern Mississip- interstate	I	I	III	III	I
sonville (Florida)-Brunswick (Georgia) Interstate	I	II	III	III	I
Central Florida Intrastate	I	I	III	III	III
al Florida Intrastate	II	III	III	III	III
hwest Florida Intrastate	III	III	III	III	III
heast Florida Intrastate	II	III	III	III	III

FR 10858, May 31, 1972, as amended 39 FR 16346, May 8, 1974]

2.522 Approval status.

Vith the exceptions set forth in this bpart, the Administrator approves orida's plans for the attainment and aintenance of the national standards der section 110 of the Clean Air Act. rthermore, the Administrator finds e plans satisfy all requirements of rt D, Title I, of the Clean Air Act as ended in 1977, except as noted low. In addition, continued satisfacn of the requirements of Part D, for e ozone portion of the SIP depends the adoption and submittal of ACT requirements by July 1, 1980 r those sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 17143, Mar. 18, 1980]

§ 52.523 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Florida's plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lead
	Primary	Secondary	Primary	Secondary				
le (Alabama)-Pensacola, Panama City Florida)-Southern Mississippi Interstate:								
a. Escambia County	a	a	f	a	c	c	f	h
b. Rest of AQCR	a	a	a	a	c	c	a	h
sonville (Florida)-Brunswick (Georgia) terstate:								
a. Leon County	a	a	a	a	c	c	f	h
b. Duval County [1]	a	g	f	a	c	c	d	h
c. Rest of AQCR	a	a	a	a	c	c	a	h
Central Florida Intrastate:								
a. Hillsborough County [1]	a	g	f	a	c	c	d	h
b. Pinellas County [1]	a	a	e	e	c	c	d	h
c. Pasco County	a	a	f	f	c	c	c	h
d. Polk County	a	f	a	a	c	c	c	h
e. Rest of AQCR	a	a	a	a	c	c	d	h
al Florida Intrastate:								
a. Seminole County	b	f	c	c	c	c	c	h
b. Orange County	b	a	c	c	c	c	d	h

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lea
	Primary	Secondary	Primary	Secondary				
c. Rest of AQCR	b	a	c	c	c	c	c	h
Southeast Florida Intrastate:								
a. Dade County	b	a	c	c	c	c	*d*	h
b. Broward County	b	a	c	c	c	f	*d*	h
c. Palm Beach County	b	a	c	c	c	c	*d*	h
d. Rest of AQCR	b	a	c	c	c	c	c	h
Southwest Florida Intrastate	c	c	c	c	c	c	c	h

[1] For more precise delineation, see § 81.310 of this chapter.

Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2223 (1978).

NOTE: Dates or footnotes which are italic are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. July 1975.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.
e. To be determined at a later date.
f. Area is unclassifiable.
g. July 31, 1986.
h. December 1, 1985.

[45 FR 17143, Mar. 18, 1980, as amended at 48 FR 19716, May 2, 1983; 50 FR 52328, Dec. 23, 1985]

§ 52.524 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) Federal compliance schedules. (1) Except as provided in paragraph (b)(6) of this section, the owner or operator of any stationary source subject to the following emission limiting regulations in the Florida implementation plan shall comply with the compliance schedule in paragraph (b)(2) of this section, Rules of the State of Florida, Department of Pollution Control, Air Pollution, subsections 17-2.04(2); 17-2.04(3); 17-2.04(6)(a); 17-2.04(6)(b); 17-2.04(6)(d); 17-2.04(6) (e)2.a; 17-2.04(6)(e)3.b; 17-2.04(6)(f); and 17-2.04(6)(h).

(2) Compliance schedule. (i) November 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) January 1, 1974—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) February 1, 1974—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1975—Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1975—Achieve compliance with the applicable regulations, and certify such compliance to the Administrator.

(vi) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vii) Five days after the deadline for completing paragraphs (b)(2) (ii) through (iv) in this section, certify to the Administrator whether the increment has been met.

(3) Except as provided in paragraph (b)(6) of this section, the owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the requirements of

Rules of the State of Florida, Department of Pollution Control, Air Pollution, subsections 17-2.04(6)(e)2. c. and d. contained as part of the Florida Implementation Plan shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet these requirements.

(4) Any owner or operator of a stationary source subject to paragraph (b)(3) of this section who elects to utilize low-sulfur fuel shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on July 1, 1975, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) June 15, 1974—Initiate onsite modifications, if applicable.

(vi) March 31, 1975—Complete onsite modifications, if applicable.

(vii) July 1, 1975—Achieve compliance with the requirements of Florida Air Pollution Rules subsections 17-2.04(6)(e)2. c. and d. and certify such compliance to the Administrator.

(viii) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(ix) Five days after the deadline for completing paragraphs (b)(4) (ii) through (vi) of this section, certify to the Administrator whether the increment has been met.

(5) Any owner or operator subject to paragraph (b)(3) of this section, who elects to utilize stack gas desulfurization shall be subject to the compliance schedule in paragraph (b)(2) of this section.

(6) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date on the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(7) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (b) (2) or (4) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

AIR QUALITY CONTROL REGION NO. 5

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance d
BAY COUNTY					
Arizona Chemical Co. Permit no. AO 03-744.	Panama City, Florida.	17-2.03(1) 17-2.04(2).	May 15, 1973	Immediately	Mar. 1, 1974.
Cove Contractors Permit no. AO 03-366.	do	17-2.04(6)(e)3	do	do	Jan. 1, 1974.
International Paper Company:					
Power Boiler No. 4 Permit no. AO 03-691.	do	17-2.04(6)(e)2	do	do	Do.
Power Boiler No. 5 Permit no. AO 03-692.	do	17-2.04(6)(e)2	do	do	Do.
Gulf Power Company Smith Generating Station Board Order—AP-765-73.	do	17-2.04(6)(e)2a & d.	July 30, 1973	do	July 1, 1975.
International Paper Company:					
Bark Boiler No. 3 Permit no. AO 03-693.	do	17-2.04(2)	May 15, 1973	do	Do.
Bark Boiler No. 4 Permit no. AO 03-694.	do	17-2.04(2)	do	do	Do.
CALHOUN COUNTY					
Hayes Forest Products Industries:					
TeePee Burner (25 ft. Dia.) Permit no. SO 07-502.	Blountstown, Florida.	17-2.04(6)(a)	May 15, 1973	Immediately	Nov. 1, 1974.
TeePee Burner (20 ft. Dia.) Permit no. SO 07-503.	do	17-2.04(6)(a)	do	do	Do.
ESCAMBIA COUNTY					
Alger-Sullivan Co.:					
(a) Two Boilers with Common Stack Permit no. AO 17-1073.	Century, Florida	17-2.04(2)	May 15, 1973	Immediately	Aug. 30, 197
(b) Dry Shaving Cyclone Permit no. AO 17-1075.	do	17-2.04(2)	do	do	Do.
Atmore Pole & Timber Company Permit no. AO 17-983.	Davisville, Florida.	17-2.04(6)(a)	do	do	Dec. 30, 197
American Creosote Works, Inc. Permit no. AO 17-980.	Pensacola, Florida.	17-2.04(2)	do	do	Jan. 15, 197
Boise Cascade Corporation Board Order AP-784-73.	Cantonment, Florida.	17-2.04(2)	July 11, 1973	do	May 24, 197
Brickerstaff Clay Products Co. Permit no. AO 17-2003.	Barth, Florida	17-2.04(2)	May 15, 1973	do	Jan. 1, 1974.
Escambia Treating Co. Permit no. AO 17-937.	Pensacola, Florida.	17-2.04(2)	do	do	Oct. 30, 197
Louisiana Land & Exploration Co.:					
(a) Wiggins Lake Prod. Facility No. 1 Permit no. AO 17-522.	Century, Florida	17-2.04(6)(h)2a	do	do	July 1, 1975.
(b) Wiggins Lake Prod. Treating Facilities No. 2 Permit no. AO 17-736.	do	17-2.04(6)(h)2a	do	do	Do.
Monsanto Corporation:					
(a) Adipic Acid Synthesis Permit no. AO 17-687.	Gonzales, Florida.	17-2.04(2)	do	do	Mar. 15, 197
(b) Ammonia Oxidation Permit no. AO 17-686.	do	17-2.04(6)(g)	do	do	Do.
St. Regis Paper Company:					
(a) No. 1 Power Boiler, No. 1 Mill Permit no. AO 17-542.	Cantonment, Florida.	17-2.04(6)(e)2	do	do	July 1, 1973.
(b) No. 2 Power Boiler, No. 2 Mill Permit no. AO 17-543.	do	17-2.04(6)(e)2	do	do	Do.
(c) No. 3 Power Boiler, No. 1 Mill Permit no. AO 17-544.	do	17-2.04(6)(e)2	do	do	Do.
(d) No. 4 Power Boiler, No. 2 Mill Permit no. AO 17-545.	do	17-2.04(6)(e)2	do	do	Do.

AIR QUALITY CONTROL REGION NO. 5—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
No. 1 Power Boiler, No. 2 ll Permit no. AO 17-621.	do	17-2.04(6)(e)2	do	do	Do.
o. 3 Power Boiler, No. 2 ll Permit no. AO 17-626.	do	17-2.04(6)(e)2	do	do	Do.
Fricker Mahogany Compa- ermit no. AO 17-396.	Pensacola, Florida.	17-2.04(2)	do	do	May 24, 1974.
ower Company Crist Gen- ng Station Board Order— 765-73.	do	17-2.04(6)(e)2a & d.	July 30, 1973	do	July 1, 1975.
gis Paper Company:					
1 Lime Kiln Permit no. AO 7-539.	Cantonment, Florida.	17-2.04(2)	May 15, 1973	do	Do.
2 Lime Kiln Permit no. AO 7-540.	do	17-2.04(2)	do	do	Do.
3 Lime Kiln Permit no. AO 7-541.	do	17-2.04(2)	do	do	Do.
1 Dissolving Tank, No. 1 ill Permit no. AO 17-619.	do	17-2.04(2)	do	do	Do.
2 Dissolving Tank, No. 1 ill Permit no. AO 17-620.	do	17-2.04(2)	do	do	Do.
1 Dissolving Tank, No. 2 ill Permit no. AO 17-622.	do	17-2.04(2)	do	do	Do.
2 Dissolving Tank, No. 2 ill Permit no. AO 17-623.	do	17-2.04(2)	do	do	Do.
3 Dissolving Tank, No. 2 ill Permit no. AO 17-627.	do	17-2.04(2)	do	do	Do.
4 Dissolving Tank, No. 2 ill Permit no. AO 17-628.	do	17-2.04(2)	do	do	Do.
1, No. 2 Recovery Boiler, No. 1 Mill Permit no. AO 17-624.	do	17-2.04(6)(d)1	do	do	Do.
1, No. 2 Recovery Boiler, No. 2 Mill Permit no. AO 17-625.	do	17-2.04(6)(d)1	do	do	Do.
3, No. 4 Recovery Boiler, No. 2 Mill Permit no. AO 17-629.	do	17-2.04(6)(d)1	do	do	Do.
		GULF COUNTY			
c Magnesia Inc:					
gnesium Oxide Calciner No. 1 Permit no. AO 23-339.	Port St. Joe, Florida.	17-2.04(2)	May 15, 1973	Immediately	Jan. 1, 1974.
gnesium Oxide Calciner No. 2 Permit no. AO 23-340.	do	17-2.04(2)	do	do	Do.
oe Paper Company:					
wer Boiler No. 3 Permit no. AO 23-445.	do	17-2.04(6)(e)3	do	do	May 24, 1974.
wer Boiler No. 4 Permit no. AO 23-446.	do	17-2.04(2)	do	do	Do.
wer Boiler No. 5 Permit no. AO 23-447.	do	17-2.04(6)(e)3	do	do	Do.
wer Boiler No. 6 Permit no. AO 23-448.	do	17-2.04(6)(e)3	do	do	Do.
wer Boiler No. 7 Permit no. AO 23-449.	do	17-2.04(6)(e)3	do	do	Do.
wer Boiler No. 8 Permit no. AO 23-450.	do	17-2.04(6)(e)3	do	do	Do.
c Magnesia, Inc: Periclase otary Kiln Permit no. AO 23- 7.	do	17-2.04(2)	do	do	Jan. 1, 1975.
oe Paper Company:					
wer Boiler No. 1 Permit no. AO 23-443.	do	17-2.04(2)	do	do	June 30, 1975.
wer Boiler No. 2 Permit no. AO 23-444.	do	17-2.04(2)	do	do	Do.
covery Boiler No. 4 Smelt Tank Permit no. AO 23-456.	do	17-2.04(6)(d)1	do	do	Do.

AIR QUALITY CONTROL REGION NO. 5—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Fin complianc
		JACKSON COUNTY			
Dixie Lime & Stone Company, Green Valley Plant Permit no. AO 32-1059.	Marianna, Florida.	17-2.04(2)	May 15, 1973	Immediately	Jan. 1, 19
Gold Kist Peanuts Permit no. AO 32-1060.	Graceville, Florida.	17-2.04(2) 17-2.04(6)(e)3.	do	do	Apr. 30, 1
Gulf Power Company Scholz Generating Sta. Board Order—AP-765-73.	Sneads, Florida	17-2.04(6)(e)2a & d.	July 30, 1973	do	July 1, 19
		SANTA ROSA COUNTY			
Air Products & Chemicals, Inc. (Escambia Chemical Corporation):					
No. 2 Nitric Acid Plant Permit no. AO 57-2003.	Pace, Florida	17-2.04(6)(g)2	May 15, 1973	Immediately	July 1, 19
No. 1 Nitric Acid Plant Permit no. AO 57-2002.	do	17-2.04(6)(g)2	do	do	Do.
Amerada-Hess Oil Permit no. AO 57-2001.	Jay, Florida	17-2.04(6)(h)2	do	do	Do.
Exxon Company, USA:					
Facility No. 2 Permit no. AO 57-1088.	do	17-2.04(6)(h)2	do	do	Do.
Facility No. 3 Permit no. AO 57-1096.	do	17-2.04(6)(h)2	do	do	Do.
Facility No. 4 Permit no. AO 57-1101.	do	17-2.04(6)(h)2	do	do	Do.
Facility No. 5 Permit no. AO 57-1115.	do	17-2.04(6)(h)2	do	do	Do.
Sun Oil Company Permit no. AO 57-1061.	do	17-2.04(6)(h)2	do	do	Do.
Air Products & Chemicals, Inc: Ammonium Nitrate Prill Plant Permit no. AO 57-2004.	Pace, Florida	17-2.04(2)	do	do	

AIR QUALITY CONTROL REGION NO. 48

Source	Location	Regulation involved	Date of adoption	Effective date	Fin complianc
		ALACHUA COUNTY			
Colonial Stores, Inc. Store No. 7714, Sunshine Mall Permit no. SO 01-2015.	Gainesville, Florida.	17-2.04(6)(a)	May 15, 1973	Immediately	Mar. 15,
Colonial Stores, Inc. Store No. 7713, Royal Park Plaza Permit no. SO 01-2016.	do	17-2.04(6)(a)	do	do	Do.
		BREVARD COUNTY			
Houdaille-Duval-Wright Company Permit no. AO 5-369.	Sharpes, Florida	17-2.04(2)	Apr. 17, 1973	Immediately	July 1, 19
IGA Market Board Order AP-773-73.	Melbourne, Florida.	17-2.04(6)(a)	July 11, 1973	do	July 1, 19
Macasphalt Corporation, Florida Hot Mix Div. Permit no. AO 5-326.	Eau Gallie, Florida.	17-2.04(2)	Apr. 17, 1973	do	July 1, 19
Orlando Utilities Commission, Indian River Plant:					
Unit No. 1 Permit no. AO 5-505.	Titusville, Florida.	17-2.04(6)(e)2.c	do	do	July 1, 19
Unit No. 2 Permit no. AO 5-506.	do	17-2.04(6)(e) 2.c.	do	do	Do.
Winn Dixie Stores, Inc. No. 10 Permit no. SO 5-112.	Melbourne, Florida.	17-2.04(6)(a)	do	do	Mar. 2, 1

AIR QUALITY CONTROL REGION NO. 48—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Winn Dixie Stores, Inc. No. 89 Permit no. SO 5-144.	Eau Gallie, Florida.	17-2.04(6)(a)	do	do	Do.
Winn Dixie Stores, Inc. No. 104 Permit no. SO 5-113.	Satellite Beach, Florida.	17-2.04(6)(a)	do	do	Do.
LAKE COUNTY					
Florida Food Products Inc:					
Citrus Peel Dryer Permit no. AO 35-59.	Eustis, Florida	17-2.04(2) & (4)	Apr. 17, 1973	Immediately	June 1, 1975.
Citrus Peel Cooler Permit no. AO 35-60.	do	17-2.04(2) & (4)	do	do	Do.
Growers Container Cooperative, Inc: Board Order AP-789-73.	Leesburg, Florida.	17-2.04(6)(a)	July 11, 1973	do	May 1, 1975.
Macasphalt Corp: No. 9 Unit Permit no. AO 35-420.	Astalula, Florida	17-2.04(2)	Apr. 17, 1973	do	July 1, 1974.
Mascasphalt Corp: No. KG-20 Unit Permit no. AO 35-9.	Okahumpha, Florida.	17-2.04(2)	do	do	June 30, 1973.
Walling Crate Co. Board Order AP-787-73.	Leesburg, Florida.	17-2.04(2)	July 11, 1973	do	July 1, 1975.
ORANGE COUNTY					
Basic Asphalt & Construction Corp. Permit no. AO 48-466.	Lockhart, Florida.	17-2.04(2)	Apr. 17, 1973	Immediately	June 30, 1973.
Fairvilla Fresh Fruit Co. (Coca Cola Foods Div.) Permit no. AO 48-751.	Orlando, Florida	17-2.04(6)(e)	do	do	July 1, 1975.
Fairway Market Board Order AP-788-73.	do	17-2.04(6)(a)	July 11, 1973	do	Do.
Goodyear Recapping Industries Permit no. AO 48-464.	do	17-2.03(1)	Apr. 17, 1973	do	June 30, 1973.
Orange Co. Concrete (Florida Mining & Materials Corp.) Permit no. AO 48-867.	do	17-2.04(2)	do	do	Sept. 30, 1973.
Orlando General Hosp. Permit no. SO 48-419.	do	17-2.04(6)(a)	do	do	Sept. 18, 1973.
Orlando Paving Co. Permit no. AO 48-2019.	Pine Hills, Florida.	17-2.04(2)	do	do	June 1, 1974.
Orlando Utilities Commission—Lake Highland Plant:					
Boiler No. 1 Permit no. AO 48-501.	Orlando, Florida	17-2.04(6)(e)2.c	do	do	July 1, 1975.
Boiler No. 2 Permit no. AO 48-502.	do	17-2.04(6)(e)2.c	do	do	Do.
Boiler No. 3 Permit no. AO 48-503.	do	17-2.04(6)(e) 2.c.	do	do	Do.
Boiler No. 4 Permit no. AO 48-504.	do	17-2.04(6)(e) 2.c.	do	do	Do.
Plymouth Citrus Products Cooperative:					
Hell Dryer No. 6 Permit no. AO 48-3.	Plymouth, Florida.	17-2.04(2)	do	do	Nov. 30, 1973.
Hell Dryer No. 5 Permit no. AO 48-4.	do	17-2.04(2)	do	do	Do.
Taft Asphalt Permit no. AO 48-518.	Taft, Florida	17-2.04(2)	do	do	July 1, 1974.
Winter Garden Citrus Products Cooperative:					
Dryer No. 2 Permit no. AO 48-44.	Winter Garden, Florida.	17-2.04(2)	do	do	July 30, 1973.
Dryer No. 4 Permit no. AO 48-46.	do	17-2.04(2)	do	do	Do.
Winter Park Memorial Hospital: Permit no. SO 48-402.	do	17-2.04(6)(a)	do	do	May 15, 1974.
Winn Dixie Stores, Inc:					
Store No. 20 Permit no. SO 48-102.	Orlando, Florida	17-2.04(6)(a)	do	do	Mar. 2, 1974.

AIR QUALITY CONTROL REGION NO. 48—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Store No. 41 Permit no. SO 48-109.	......do	17-2.04(6)(a)	......do	......do	Do.
Store No. 48 Permit no. SO 48-101.	Winter Garden, Florida.	17-2.04(6)(a)	......do	......do	Do.
Store No. 69 Permit no. SO 48-103.	Maitland, Florida.	17-2.04(6)(a)	......do	......do	Do.
Store No. 78 Permit no. SO 48-104.	Apopka, Florida	17-2.04(6)(a)	......do	......do	Do.
Store No. 98 Permit no. SO 48-106.	Pine Castle, Florida.	17-2.04(6)(a)	......do	......do	Do.
Store No. 103 Permit no. SO 48-107.	Orlando, Florida	17-2.04(6)(a)	......do	......do	Do.
Store No. 121 Permit no. SO 48-2009.	......do	17-2.04(6)(a)	......do	......do	Do.
City of Orlando Incinerator Permit no. SO 48-507.	......do	17-2.04(6)a	......do	......do	Jan. 1, 1975.
OSCEOLA COUNTY					
City of Kissimmee, (Electric Generating Facility) Permit no. AO 49-648.	Kissimmee, Florida.	17-2.04(1)a	Apr. 17, 1973	Immediately	Jan. 1, 1975.
The Marks—St. Cloud, Inc. Permit no. SO 49-493.	St. Cloud, Florida.	17-2.04(6)(a)	......do	......do	May 15, 1974.
Osceola Fruit Distributors, Inc. Permit no. AO 49-357.	Kissimmee, Florida.	17-2.04(2)	......do	......do	July 15, 1973.
Osceola Tire Service Permit no. AO 49-439.	......do	17-2.03(1)	......do	......do	June 1, 1973.
SEMINOLE COUNTY					
D. F. Asphalt Co. Permit no. AO 59-630.	Sanford, Florida	17-2.04(2)	Apr. 17, 1973	Immediately	Oct. 20, 1973.
Hi Acres Concentrate, Inc. Permit no. AO 59-54.	Forrest City, Florida.	17-2.04(2)	......do	......do	Jan. 1, 1975.
K-Mart (Colonial Stores, Inc.) Permit no. SO 59-448.	Fern Park, Florida.	17-2.04(6)(a)	......do	......do	May 15, 1974.
Macasphalt Corporation Unit 5 Permit no. AO 59-554.	North Orlando, Florida.	17-2.04(2)	......do	......do	July 1, 1974.
Seminole Memorial Hosp. Permit no. SO 59-362.	Sanford, Florida	17-2.04(6)(a)	......do	......do	May 15, 1974.
VOLUSIA COUNTY					
Florida Power Corp., Turner Plant:					
Unit No. 1 Permit no. AO 64-378.	Enterprise, Florida.	17-2.04(6)(e)2.c	Apr. 17, 1973	Immediately	Jan. 15, 1975.
Unit No. 2 Permit no. AO 64-379.	......do	17-2.04(6)(e)2.c	......do	......do	Do.
Unit No. 3 Permit no. AO 64-380.	......do	17-2.04(6)(e)2.c	......do	......do	Do.
Unit No. 4 Permit no. AO 64-381.	......do	17-2.04(6)(e)2.c	......do	......do	Do.
K-Mart (Colonial Stores Inc.) Permit no. SO 64-446.	Daytona Beach, Florida.	17-2.04(6)(a)	......do	......do	May 15, 1974.
Meadow Gold of Florida (Beatrice Foods Inc.) Permit no. SO 64-467.	Orange City, Florida.	17-2.04(6)(a)	......do	......do	Do.
Winn Dixie Stores, Inc.:					
Store No. 4 Permit no. SO 64-98.	New Smyrna Bch, Florida.	17-2.04(6)(a)	......do	......do	Mar. 2, 1974.
Store No. 47 Permit no. SO 64-86.	Deland, Florida	17-2.04(6)(a)	......do	......do	Do.
Store No. 52 Permit no. SO 64-77.	......do	17-2.04(6)(a)	......do	......do	Do.
Store No. 62 Permit no. SO 64-78.	Daytona Beach, Florida.	17-2.04(6)(a)	......do	......do	Do.

AIR QUALITY CONTROL REGION NO. 48—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
re No. 109 Permit no. SO 4-82.	Port Orange, Florida.	17-2.04(6)(a)	do	do	Do.
re No. 113 Permit no. SO 4-95.	Deltona, Florida	17-2.04(6)(a)	do	do	Do.

AIR QUALITY CONTROL REGION NO. 49

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
		BRADFORD COUNTY			
ord County Hosp. Board der—AP-781-73.	Starke, Florida	17-2.04(6)(a)	July 11, 1973	Immediately	Mar. 15, 1974.
		CLAY COUNTY			
Memorial Hosp. Board der—AP-782-73.	Green Cove Springs, Florida.	17-2.04(6)(a)	July 11, 1973	Immediately	Mar. 15, 1974.
e Corporation:					
n No. 2 Permit no. AO 10-2032.	do	17-2.04(2)	May 15, 1973	do	Jan. 1, 1974.
n No. 3 Permit no. AO 10-2033.	do	17-2.04(2)	do	do	Do.
n No. 4 Permit no. AO 10-2034.	do	17-2.04(2)	do	do	Do.
n No. 5 Permit no. AO 10-2035.	do	17-2.04(2)	do	do	Do.
		COLUMBIA COUNTY			
rican Wood Products Permit AO 12-2036.	Lake City, Florida.	17-2.04(2)	May 15, 1973	Immediately	June 5, 1974.
		DIXIE COUNTY			
rgia-Pacific , Corporation ermit no AO 15-2040.	Cross City, Florida.	17-2.04(2)	May 15, 1973	Immediately	July 1, 1974.
		DUVAL COUNTY			
all Contracting Company ermit no AO 16-2031.	Jacksonville, Florida.	17-2.04(2)	May 15, 1973	Immediately	July 1, 1973.
nial Stores, Inc. 5950 mona Blvd. Permit no. SO 6-2020.	do	17-2.04(6)(a)	do	do	Mar. 15, 1974.
nial Stores, Inc. 7450 Beach d. Permit no. SO 16-2021.	do	17-2.04(6)(a)	do	do	Do.
nial Stores, Inc. 925 S. cDuff Ave. Permit no. SO 6-2026.	do	17-2.04(6)(a)	do	do	Do.
nial Stores, Inc. Store No. 00 Univ. Blvd. Permit no. O 16-2027.	do	17-2.04(6)(a)	do	do	Do.
sonville Electric Authority, nnedy Station:					
nit No. 8 Permit no. AO 16-734.	do	17-2.04(6)(e)	do	do	June 30, 1975.
nit No. 9 Permit no. AO 16-733.	do	17-2.04(6)(e)	do	do	Do.
nit No. 10 Permit no. AO 16-732.	do	17-2.04(6)(e)		do	Do.
sonville Electric Authority, rthside Station: Unit No. 1 ermit no. AO 16-731.	do	17-2.04(6)(e)	do	do	Do.

AIR QUALITY CONTROL REGION NO. 49—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Jacksonville Electric Authority, Southside Station:					
Unit No. 1 Permit no. AO 16-726.	......do	17-2.04(6)(e)	......do	......do	Do.
Unit No. 2 Permit no. AO 16-727.	......do	17-2.04(6)(e)	......do	......do	Do.
Unit No. 3 Permit no. AO 16-728.	......do	17-2.04(6)(e)	......do	......do	Do.
Unit No. 4 Permit no. AO 16-729.	......do	17-2.04(6)(e)	......do	......do	Do.
Unit No. 5 Permit no. AO 16-730.	......do	17-2.04(6)(e)	......do	......do	Do.
National Merchandise Company:					
Old Warehouse, Liberty St. Permit no. SO 16-2028.	......do	17-2.04(6)(a)	......do	......do	Mar. 15, 1974.
New Warehouse, Liberty St. Permit no. SO 16-2029.	......do	17-2.04(6)(a)	......do	......do	Do.
Pic N' Save Store No. 1, Univ. Blvd. Permit no. SO 16-2030.	......do	17-2.04(6)(a)	......do	......do	Do.
Rose's Store, Inc. Board Order—AP-777-73.	......do	17-2.04(6)(a)	July 11, 1973	......do	Do.
St. Regis Paper Co:					
Recovery Boiler No. 1 Permit no. AO 16-287.	......do	17-2.04(6)(d)	May 15, 1973	......do	July 1, 1975.
Recovery Boiler No. 1 Permit no. AO 16-287.	......do	17-2.04(6)(d) 1.b.	......do	......do	May 1, 1975.
Recovery Boiler No. 2 & 3 Permit no. AO 16-288.	......do	17-2.04(6)(d) 1.a.	......do	......do	July 1, 1975.
Recovery Boiler No. 2 & 3 Permit no. AO 16-288.	......do	17-2.04(6)(d) 1.b.	......do	......do	May 1, 1975.
Bark Boiler No. 1 Permit no. AO 16-286.	......do	17-2.04(2)	......do	......do	Apr. 1, 1975.
Bark Boiler No. 2 Permit no. AO 16-82.	......do	17-2.04(2)	......do	......do	Do.
Lime Kiln Stack No. 1 Permit no. AO 16-280.	......do	17-2.04(2)	......do	......do	Oct. 1, 1974.
Lime Kiln Stack Permit no. 2 Permit no. AO 16-281.	......do	17-2.04(2)	......do	......do	Do.
Lime Kiln Stack No. 3 Permit no. AO 16-282.	......do	17-2.04(2)	......do	......do	Do.
Non-condensable Gas Sources Permit no. AO 16-2090.	......do	17-2.04(4)	......do	......do	June 1, 1975.
Winn-Dixie Store No. 35 4444 Hendricks Ave. Permit no. SO 16-2022.	......do	17-2.04(6)(a)	......do	......do	Mar. 15, 1974.
Winn-Dixie Store No. 45 1410 N. Edgewood Ave. Permit no. AO 16-2023.	......do	17-2.04(6)(a)	......do	......do	Do.
Winn-Dixie Store No. 60 3978 St. John's Ave. Permit no. AO 16-2024.	......do	17-2.04(6)(a)	......do	......do	Do.
Winn-Dixie Store No. 129 5300 Firestone Ave. Permit no. AO 16-2025.	......do	17-2.04(6)(a)	......do	......do	Do.
Woolco Department Stores:					
Lenox Ave. Store Board Order—AP-778-73.	......do	17-2.04(6)(a)	July 27, 1973	......do	Do.
Store No. 6149 Board Order AP770-73.	......do	17-2.04(6)(a)	......do	......do	Do.
Automotive Disposal Corporation Permit no. AO 16-353.	......do	17-2.04(2)	Nov. 20, 1973	......do	Mar. 6, 1974.
C. I. Capps Company Permit no. AO 16-2148.	......do	17-2.04(2)	......do	......do	June 6, 1974.
Colonial Stores Incorporated:					
5451 Norwood Ave. Permit no. SO 16-2064.	......do	17-2.04(6)(a)	......do	......do	Mar. 15, 1974.
6310 103rd St. Permit no. SO 16-2063.	......do	17-2.04(6)(a)	......do	......do	Do.

AIR QUALITY CONTROL REGION NO. 49—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
538 Fort Carolina Rd. Permit no. SO 16–2062.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
04 Dunn Ave. Permit no. SO 16–2061.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
ington Expressway Permit no. SO 16–2060.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
T. Grant Store Permit no. SO 16–2065.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
artin Coffee Company Permit no. AO 16–2145.	......do......	17–2.04(2)......	......do......	......do......	June 5, 1974.
emorial Hospital of Jackson-ille Permit no. SO 16–2066.	......do......	17–2.04(6)(a)	......do......	......do......	Mar. 15, 1974.
mplex Incorporated:					
ncinerator No. 1 Permit no. SO 16–490.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
ncinerator No. 2 Permit no. SO 16–2067.	Baldwin, Florida ..	17–2.04(6)(a)	......do......	......do......	Do.
uthern Wood Piedmont:					
ncinerator No. 1 Permit no. SO 16–2069.	Jacksonville, Florida.	17–2.04(6)(a)	......do......	......do......	Do.
ncinerator No. 2 Permit no. SO 16–2070.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
nn-Dixie Store No. 33 Bland-ng Blvd. Permit no. SO 16–34.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
nn-Dixie Store No. 5 Beach lvd. Permit no. SO 16–2072.	......do......	17–2.04(6)(a)	......do......	......do......	Dec. 1, 1973.
nn-Dixie Store No. 102 Nor-mandy Blvd. Permit no. SO 6–2073.	......do......	17–2.04(6)(a)	......do......	......do......	Mar. 15, 1974.
nn-Dixie Store No. 61 Augus-ine Rd. Permit no. SO 16–074.	......do......	17–2.04(6)(a)	......do......	......do......	Dec. 15, 1973.
nn-Dixie Store No. 93 Univer-ity Blvd. Permit no. SO 16–075.	......do......	17–2.04(6)(a)	......do......	......do......	Dec. 1, 1973.
nn-Dixie Store No. 18 Atlantic lvd. Permit no. SO 16–2071.	......do......	17–2.04(6)(a)	......do......	......do......	Do.
		GADSDEN COUNTY			
sser Minerals (Pennsylvania lass Sand Company):					
a) Raymond Mill Exhaust Permit no. AO 20–1033.	Havana, Florida...	17–2.04(2)......	May 15, 1973	Immediately	Jan. 1, 1974.
b) Transport System Permit no. AO 20–1034.	......do......	17–2.04(2)......	......do......	......do......	Do.
c) Cooler Discharge Stack Permit no. AO 20–1035.	......do......	17–2.04(2)......	......do......	......do......	Do.
d) Dryer No. 2 Permit no. AO 20–1036.	......do......	17–2.04(2)......	......do......	......do......	Do.
ridn Company (Pennsylvania lass Sand Corp.):					
tack No. 4, East Dryer Stack, No. 2 Dry Dept. Permit no. AO 20–2002.	Quincy, Florida ...	17–2.04(2)......	......do......	......do......	Feb. 1, 1975.
tack No. 5, Center Dryer Stack, No. 2 Dry Dept. Permit no. AO 20–2001.	......do......	17–2.04(2)......	......do......	......do......	May 1, 1975.
tack No. 6, West Dryer Stack, No. 2 Dry Dept. Permit no. AO 20–2000.	......do......	17–2.04(2)......	......do......	......do......	July 1, 1975.
tack No. 9, Mill Cyclone Stack, No. 5 Mill Dept. Permit no. AO 20–2010.	......do......	17–2.04(2)......	......do......	......do......	Sept. 1, 1973.
tack No. 10, Seperator Cy-clone, No. 5 Mill Dept. Permit no. AO 20–2009.	......do......	17–2.04(2)......	......do......	......do......	Do.

AIR QUALITY CONTROL REGION NO. 49—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Stack No. 12, Mill Cyclone, No. 2 Mill Dept. Permit no. AO 20-2008.	do	17-2.04(2)	do	do	Aug. 1, 1974.
Stack No. 13, Elevator Cyclone, No. 2 Mill Dept. Permit no. AO 20-2007.	do	17-2.04(2)	do	do	Do.
Stack No. 16, No. 2 Raymond Mill, No. 3 Mill Dept. Permit no. AO 20-2013.	do	17-2.04(2)	do	do	Oct. 1, 1974.
Stack No. 17, No. 3 Raymond Mill, No. 3 Mill Dept. Permit no. AO 20-2011.	do	17-2.04(2)	do	do	Do.
Stack No. 19, Cyclone Collector for No. 1 Dryer Permit no. AO 20-2015.	do	17-2.04(2)	do	do	Dec. 1, 1973.
Stack No. 20, Cyclone Collector for No. 2 Dryer Permit no. AO 20-2016.	do	17-2.04(2)	do	do	June 1, 1974.
Pat Higdon Industries Permit no. AO 20-614.	do	17-2.04(2)	do	do	Aug. 30, 1973.
Floridin Company (Pennsylvania Glass Sand Corp.):					
Stack No. 1 Permit no. AO 20-2005.	do	17-2.04(2)	do	do	Feb. 1, 1973.
Stack No. 2 Permit no. AO 20-2004.	do	17-2.04(2)	do	do	Do.
Stack No. 3 Permit no. AO 20-2003.	do	17-2.04(2)	do	do	June 1, 1974.
Stack No. 14 Permit no. AO 20-2006.	do	17-2.04(2)	do	do	Mar. 1, 1973.
Stack No. 15 Permit no. AO 20-2012.	do	17-2.04(2)	do	do	June 1, 1973.
Higdon Furniture Company Permit no. AO 20-2019.	do	17-2.04(2)	do	do	Nov. 1, 1974.
HAMILTON COUNTY					
Occidental Chemical Company:					
Sulfuric Acid Plant A Permit no. AO 24-600.	White Springs, Florida.	17-2.04(6) (b)1	May 15, 1973	Immediately	July 1, 1975.
Sulfuric Acid Plant B Permit no. AO 24-605.	do	17-2.04(6) (b)1	do	do	Do.
LEON COUNTY					
City of Tallahassee Power System Unit No. 1 Permit no. AO 37-2047.	Tallahassee, Florida.	17-2.04(6) (e)2	May 15, 1973	Immediately	Apr. 1, 1975.
Colonial Stores, Inc:					
Store No. 7276 1111 Apalachee Pkwy Permit no. SO 37-2017.	do	17-2.04(6)(a)	do	do	Mar. 15, 1974.
Store No. 7229 1847 W. Tenn. St. Permit no. SO 37-2018.	do	17-2.04(6)(a)	do	do	Do.
Store No. 7232 Thomasville Rd. Permit no. SO 37-2019.	do	17-2.04(6)(a)	do	do	Do.
Elberta Crate & Box Co. Permit no. AO 37-2038.	do	17-2.04(2)	do	do	June 5, 1974.
Hammons Asphalt Paving Inc. Permit no. AO 37-2039.	do	17-2.34(2)	do	do	July 4, 1974.
Moody Construction Co. Permit no. AO 37-2037.	do	17-2.04(2)	do	do	Jan. 1, 1974.
LIBERTY COUNTY					
A. M. Schuler and Son Pole Company Permit no. SC-73008.	Hosford, Florida	17-2.04(6)(a)	May 15, 1973	Immediately	Sept. 15, 1973.

AIR QUALITY CONTROL REGION NO. 49—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
M. Harmon Construction ompany Permit no. AO 39-049.	Telogia, Florida	17-2.04(2)	do	do	July 30, 1973.
Veneer Company Permit o. SO 39-2000.	Hosford, Florida	17-2.04(6)(a)	do	do	Dec. 1, 1974.
Chemicals, Inc.:					
ood Boiler Permit no. AO 39-942.	Telogia, Florida	17-2.04(2)	do	do	Do.
el Oil Boiler Permit no. AO 39-940.	do	17-2.04(6)(e)3	do	do	May 24, 1974.
		MARION COUNTY			
tified Grocers of Florida ermit no. SO 42-420.	Ocala, Florida	17-2.04(6)(a)	Apr. 17, 1973	Immediately	Feb. 22, 1974.
son's Products Co. of Ocala ermit no. SO 42-2006.	do	17-2.04(6)(a)	do	do	Mar. 1, 1974.
T. Goethe Lumber Co.:					
ark Boiler Permit no. AO 42-521.	Dunnellon, Florida.	17-2.04(2)	do	do	Dec. 30, 1974.
ee Pee Burner Permit no. SO 42-474.	do	17-2.04(6)(a)	do	do	Do.
ne Counts Construction Co. oard Order AP-783-73.	Ocala, Florida	17-2.04(2)	July 11, 1973	do	May 31, 1974.
ala Cleat Co., Inc. Permit no. O 42-750.	do	17-2.04(6)(a)	Apr. 17, 1973	do	Aug. 30, 1973.
elton's Thriftway, Inc. Permit o. SO 42-286.	do	17-2.04(6)(a)	do	do	May 30, 1973.
		NASSAU COUNTY			
ntainer Corporation of America:					
ower Boiler No. 3 Permit no. AO 45-2085.	Fernandina Bch., Florida.	17-2.04(6)(e)2.c	May 15, 1973	Immediately	Jan. 1, 1975.
ower Boiler No. 3 Permit no. AO 45-2085.	do	17-2.04(6)(e)2.a	do	do	Do.
ower Boiler No. 4 Permit no. AO 45-2086.	do	17-2.04(6)(e)2.c	do	do	Do.
ower Boiler No. 4 Permit no. AO 45-2086.	do	17-2.04(6)(e)2.a	do	do	July 1, 1975.
ower Boiler No. 5 Permit no. AO 45-2087.	do	17-2.04(6)(e)2.c	do	do	Jan. 1, 1975.
ower Boiler No. 5 Permit no. AO 45-2087.	do	17-2.04(6)(e)2.a	do	do	July 1, 1975.
ecovery Boiler No. 3 Permit no. AO 45-2088.	do	17-2.04(6)(d)1.a	do	do	Do.
ecovery Boiler No. 3 Permit no. AO 45-2088.	do	17-2.04(6)(d)1.b	do	do	Do.
ecovery Boiler No. 4 Permit no. AO 45-2089.	do	17-2.04(6)(d)1.a	do	do	Do.
T Rayonier, Inc:					
ower Boiler No. 1 Permit no. AO 45-2074.	do	17-2.04(6)(e)2	do	do	Do.
ower Boiler No. 2 Permit no. AO 45-2075.	do	17-2.04(2)	do	do	Do.
ower Boiler No. 3 Permit no. AO 45-2076.	do	17-2.04(2)	do	do	Do.
ower Boiler No. 4 Permit no. AO 45-2077.	do	17-2.04(6)(e)	do	do	Do.
rimary Chlorine Tower Vents Permit no. AO 45-2078.	do	17-2.03(1)	do	do	Do.
O_2 Recovery Towers Permit no. AO 45-2079.	do	17-2.03(1)	do	do	Do.
ime Rock Tower Permit no. AO 45-2080.	do	17-2.03(1)	do	do	Do.
bsorption Tower Permit no. AO 45-2081.	do	17-2.03(1)	do	do	Do.

AIR QUALITY CONTROL REGION NO. 49—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Flash Chlorine Tower Washer Vent Permit no. AO 45-2082.	do	17-2.03(1)	do	do	Do.
Hot Caustic Extraction Stage Tank Blow Vents Permit no. AO 45-2083.	do	17-2.03(1)	do	do	Do.
Chlorine Dioxide Retention Tank Vents Permit no. AO 45-2084.	do	17-2.03(1)	do	do	Do.
PUTNAM COUNTY					
Food Fair Stores, Inc. Permit no. SO 54-2031.	Palatka, Florida	17-2.04(6)(a)	May 15, 1973	Immediately	Sept. 30, 1973.
Hudson Pulp and Paper Company:					
Recovery Boiler No. 1 Permit no. AO 54-2058.	do	17-2.04(6)(d)1	do	do	July 1, 1975.
Recovery Boiler No. 2 Permit no. AO 54-2059.	do	17-2.04(6)(d)1	do	do	Do.
Recovery Boiler No. 3 Permit no. AO 54-2060.	do	17-2.04(6)(d)1	do	do	Do.
Smelt Dissolving Tank No. 1 Permit no. AO 54-2061.	do	17-2.04(2)	do	do	Do.
Smelt Dissolving Tank No. 2 Permit no. AO 54-2062.	do	17-2.04(2)	do	do	Do.
Smelt Dissolving Tank No. 3 Permit no. AO 54-2063.	do	17-2.04(2)	do	do	Do.
Lime Kiln No. 1 Permit no. AO 54-2064.	do	17-2.04(2)	do	do	Do.
Lime Kiln No. 2 Permit no. AO 54-2065.	do	17-2.04(2)	do	do	Do.
Lime Kiln No. 3 Permit no. AO 54-2066.	do	17-2.04(2)	do	do	Do.
Combination Boiler No. 1 Permit no. AO 54-2072.	do	17-2.04(2)	do	do	Do.
Combination Boiler No. 4 Permit no. AO 54-2073.	do	17-2.04(2)	do	do	Do.
Power Boiler No. 1 Permit no. AO 54-2067.	do	17-2.04(6)(e)	do	do	Do.
Power Boiler No. 2 Permit no. AO 54-2068.	do	17-2.04(6)(e)	do	do	Do.
Power Boiler No. 3 Permit no. AO 54-2069.	do	17-2.04(6)(e)	do	do	Do.
Power Boiler No. 4 Permit no. AO 54-2070.	do	17-2.04(6)(e)	do	do	Do.
Power Boiler No. 5 Permit no. AO 54-2071.	do	17-2.04(6)(e)	do	do	Do.
L & W Wood Products Company Permit no. SO 54-2076.	Crescent City, Florida.	17-2.04(6)(a)	Nov. 20, 1973	do	Sept. 19, 1974.
SUWANEE COUNTY					
Florida Power Corp:					
Boiler No. 1 Permit no. AO 61-2044.	Live Oak, Florida.	17-2.04(6)(e)2.c	May 15, 1973	Immediately	Jan. 15, 1975.
Boiler No. 2 Permit no. AO 61-2045.	do	17-2.04(6)(e)2.c	do	do	Do.
Boiler No. 3 Permit no. AO 61-2046.	do	17-2.04(6)(e)2.c	do	do	Do.
TAYLOR COUNTY					
The Buckeye Cellulose Corporation: Recovery Boiler No. 1 Permit no. AO 62-2091.	Perry, Florida	17-2.04(6)(d)1	May 15, 1973	Immediately	July 1, 1975.
Buckeye Cellulose Corporation: Recovery Boiler No. 3 Permit no. AO 62-2092.	do	17-2.04(6)(d)1	do	do	Do.

AIR QUALITY CONTROL REGION NO. 49—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Bark Boiler Permit no. AO 62-2093.	......do......	17-2.04(2)......	......do......	......do......	Do.
Recausticizing Vent Permit no. AO 62-2094.	......do......	17-2.03(1)......	......do......	......do......	June 1, 1975.
Chlorine Dioxide Gen. Exhaust Permit no. AO 62-2095.	......do......	17-2.03(1)......	......do......	......do......	Do.
Bleaching Vents Permit no. AO 62-2096.	......do......	17-2.03(1)......	......do......	......do......	Do.
Digesting Vents Permit no. AO 62-2097.	......do......	17-2.03(1)......	......do......	......do......	Do.
Brown Stock Washing Exhaust Permit no. AO 62-2098.	......do......	17-2.03(1)......	......do......	......do......	Do.
WAKULLA COUNTY					
City of Tallahassee S. O. Purdom Electric Generating Units:					
Unit No. 1 Permit no. AO 65-2050.	St. Marks, Florida.	17-2.04(6)(e)2......	May 15, 1973......	Immediately......	Apr. 1, 1975.
Unit No. 2 Permit no. AO 65-2051.	......do......	17-2.04(6)(e)2......	......do......	......do......	Do.
Unit No. 3 Permit no. AO 65-2052.	......do......	17-2.04(6)(e)2......	......do......	......do......	Do.
Unit No. 4 Permit no. AO 65-2053.	......do......	17-2.04(6)(e)2......	......do......	......do......	Do.
Units No. 5 & No. 6 Permit no. AO 65-2054.	......do......	17-2.04(6)(e)2......	......do......	......do......	Do.
Unit No. 7 Permit no. AO 65-2055.	......do......	17-2.04(6)(e)2......	......do......	......do......	Do.

AIR QUALITY CONTROL REGION NO. 50

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
BROWARD COUNTY					
Broward County Incinerator No. 2:					
Old Unit Permit no. SO 6-2064.	Pompano Bch, Florida.	17-2.04(6)(a)......	May 15, 1973......	Immediately......	Dec. 31, 1974.
New Unit Permit no. SO 6-2065.	......do......	17-2.04(6)(a)......	......do......	......do......	Do.
City of Ft. Lauderdale:					
North Unit Permit no. SC-612...	Ft. Lauderdale, Florida.	17-2.04(6)(a)......	......do......	......do......	June 30, 1973.
South Unit Permit no. SC-613...	......do......	17-2.04(6)(a)......	......do......	......do......	Do.
Nichols Unit Permit no. SC-614.	......do......	17-2.04(6)(a)......	......do......	......do......	Do.
Houdaille Duval Wright Permit no. AO 6-2063.	Deerfield Beach, Florida.	17-2.04(2)......	......do......	......do......	June 14, 1974.
CHARLOTTE COUNTY					
Macasphalt Corporation Permit no. AO 8-2023.	Port Charlotte, Florida.	17-2.04(2)......	May 15, 1973......	Immediately......	June 14, 1974.
COLLIER COUNTY					
Fred's Market Permit no. SO 11-2002.	Immokalee, Florida.	17-2.04(6)(a)2.a..	May 15, 1973......	Immediately......	Mar. 8, 1974.
DADE COUNTY					
City of Homestead Diesel Engines Permit no. AO 13-2057.	Homestead, Florida.	17-2.04(1)......	May 15, 1973......	Immediately......	Jan. 6, 1975.

AIR QUALITY CONTROL REGION NO. 50—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
City of Miami, Dept. of Sanitation: City of Miami Incinerator Permit no. SO 13-2061.	Miami, Florida	17-2.04(6)(a)	do	do	Mar. 3, 1975.
Dade County Public Works Dept: Northeast Incinerator Permit no. SO 13-2062.	North Miami Bch, Florida.	17-2.04(6)(a)	do	do	July 1, 1975.
General Portland, Inc.:					
No. 1 Kiln Permit no. AC-481	Miami, Florida	17-2.04(6)(f)	do	do	Aug. 30, 1973.
No. 2 Kiln Permit no. AC-73018.	do	17-2.04(6)(f)	do	do	Do.
No. 1 Clinker Cooler Permit no. AC-482.	do	17-2.04(6)(f)	do	do	Do.
No. 2 Clinker Cooler Permit no. AC-73019.	do	17-2.04(6)(f)	do	do	Do.
U.S. Foundry & Manufacturing Corp. Permit no. AO 13-2066.	do	17-2.04(2)	do	do	July 1, 1975.
DESOTO COUNTY					
Hercules, Inc:					
Steam Boiler No. 1 Permit no. AO 14-2014.	Nocatee, Florida	17-2.04(2)	May 15, 1973	Immediately	Sept. 30, 1973.
Steam Boiler No. 2 Permit no. AO 14-2015.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 3 Permit no. AO 14-2016.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 4 Permit no. AO 14-2017.	do	17-2.04(2)	Sept. 30, 1973	do	May 15, 1973.
Steam Boiler No. 5 Permit no. AO 14-2018.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 6 Permit no. AO 14-2019.	do	17-2.04(2)	do	do	Do.
INDIAN RIVER COUNTY					
City of Vero Beach:					
Unit No. 1 & 2 Permit no. AO 31-422.	Vero Beach, Florida.	17-2.04(6)(e)2	May 15, 1973	Immediately	Mar. 11, 1974.
Unit No. 3 Permit no. AO 31-524.	do	17-2.04(6)(e)2	do	do	Do.
MONROE COUNTY					
Utility Board of the City of Key West: Unit Nos. 1, 2, 3, 4 & 5 Permit no. AO 44-1119.	Key West, Florida.	17-2.04(6)(e)2	May 15, 1973	Immediately	June 30, 1974.
PALM BEACH COUNTY					
Atlantic Sugar Association:					
Unit No. 1 Permit no. AO 50-2031.	Belle Glade, Florida.	17-2.04(2)	May 15, 1973	Immediately	July 1, 1975.
Unit No. 2 Permit no. AO 50-2032.	do	17-2.04(2)	do	do	Do.
Unit No. 3 Permit no. AO 50-2033.	do	17-2.04(2)	do	do	Do.
Eastern Cement:					
Ship Loading Permit no. AO 50-2067.	Rivera Beach, Florida.	17-2.04(3)	do	do	Jan. 6, 1975.
Truck Loading Permit no. AO 50-2067.	do	17-2.04(3)	do	do	Oct. 4, 1973.
Florida Sugar Corporation:					
Unit No. 4 Permit no. AO 50-2034.	Belle Glade, Florida.	17-2.04(6)(e)3	do	do	July 1, 1975.
Unit No. 5 Permit no. AO 50-2035.	do	17-2.04(6)(e)3	do	do	Do.

AIR QUALITY CONTROL REGION NO. 50—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
l & Western Food Products Co.:					
Unit Nos. 2 & 3 (Common Stack) Permit no. AO 50-2054.	South Bay, Florida.	17-2.04(2)	do	do	Do.
Unit No. 4 Permit no. AO 50-2053.	do	17-2.04(2)	do	do	Do.
Unit No. 5 Permit no. AO 50-2055.	do	17-2.04(2)	do	do	Do.
Unit No. 6 Permit no. AO 50-2056.	do	17-2.04(2)	do	do	Do.
ceola Farms Co.:					
Unit No. 1 Permit no. AO 50-2048.	Pahokee, Florida.	17-2.04(2)	do	do	Do.
Unit No. 2 Permit no. AO 50-2049.	do	17-2.04(2)	do	do	Do.
Unit No. 3 Permit no. AO 50-2050.	do	17-2.04(2)	do	do	Do.
Unit No. 4 Permit no. AO 50-2051.	do	17-2.04(2)	do	do	Do.
Unit No. 5 Permit no. AO 50-2052.	do	17-2.04(2)	do	do	Do.
gar Growers Co-op of Florida:					
Unit No. 1 Permit no. AO 50-2044.	Belle Glade, Florida.	17-2.04(2)	do	do	Do.
Unit No. 2 Permit no. AO 50-2045.	do	17-2.04(2)	do	do	Do.
Unit No. 3 Permit no. AO 50-2046.	do	17-2.04(2)	do	do	Do.
Unit No. 5 Permit no. AO 50-2047.	do	17-2.04(2)	do	do	Do.
isman Sugar Corporation:					
Unit No. 1 Permit no. AO 50-2036.	do	17-2.04(2)	do	do	Do.
Unit No. 2 Permit no. AO 50-2037.	do	17-2.04(2)	do	do	Do.
Unit No. 3 Permit no: AO 50-2038.	do	17-2.04(2)	do	do	Do.
Unit No. 4 Permit no. AO 50-2039.	do	17-2.04(2)	do	do	Do.
Unit No. 5 Permit no. AO 50-2040.	do	17-2.04(2)	do	do	Do.
ited States Sugar Corporation:					
Unit No. 1 Permit no. AO 50-2041.	Bryant, Florida	17-2.04(2)	do	do	Do.
Unit No. 2 Permit no. AO 50-2042.	do	17-2.04(2)	do	do	Do.
Unit No. 3 Permit no. AO 50-2043.	do	17-2.04(2)	do	do	Do.
		ST. LUCIE COUNTY			
ty of Ft. Pierce:					
Diesel Units Permit no. AO 56-424.	Ft. Pierce, Florida.	17-2.04(6)(e)2	May 15, 1973	Immediately	Jan. 30, 1975.
Package Boiler Unit Permit no. AO 56-425.	do	17-2.04(6)(e)2	do	do	Do.
Unit No. 5 Permit no. AO 56-426.	do	17-2.04(6)(e)2	do	do	Do.
Unit No. 6 Permit no. AO 56-427.	do	17-2.04(6)(e)2	do	do	Do.
Unit No. 4 Permit no. AO 56-428.	do	17-2.04(6)(e)2	do	do	Do.

Air Quality Control Region No. 51

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
GLADES COUNTY					
Glades County Sugar Growers Co-op Assoc:					
Steam Boiler No. 1 Permit no. AO 22-2037.	Moore Haven, Florida.	17-2.04(2)	May 15, 1973	Immediately	July 1, 1975.
Steam Boiler No. 2 Permit no. AO 22-2038.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 3 Permit no. AO 22-2039.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 4 Permit no. AO 22-2040.	do	17-2.04(6)(e)2.c	do	do	Do.
HENDRY COUNTY					
Everglades Sugar Refinery Permit no. AO 26-2025.	Clewiston, Florida.	17-2.04(6)(e)2.c	May 15, 1973	Immediately	July 1, 1975.
U.S. Sugar Corporation:					
Steam Boiler No. 1 Permit no. AO 26-2028.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 2 Permit no. AO 26-2029.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 3 Permit no. AO 26-2030.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 5 Permit no. AO 26-2031.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 6 Permit no. AO 26-2032.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 7 Permit no. AO 26-2033.	do	17-2.04(2)	do	do	Do.
Steam Boiler No. 9 Permit no. AO 26-2034.	do	17-2.04(6)(e)2.c	do	do	Do.
Bagasse Dryer Permit no. AO 26-2035.	do	17-2.04(2)	do	do	Do.
HIGHLANDS COUNTY					
Ewell Engineering & Contracting Co. Permit no. AO 28-2013.	Avon Park, Florida.	17-2.04(2)	May 15, 1973	Immediately	June 14, 1974.
Florida Home Juice Permit no. AO 28-2041.	do	17-2.04(2)	do	do	Feb. 28, 1975.
Florida Power Corporation:					
Steam Boiler Unit No. 1 Permit no. AO 28-2022.	do	17-2.04(6)(e)2.c	do	do	Feb. 15, 1974.
Steam Boiler Unit No. 2 Permit no. AO 28-2021.	do	17-2.04(6)(e)2.a	do	do	July 1, 1975.
Steam Boiler Unit No. 2 Permit no. AO 28-2021.	do	17-2.04(6)(e)2.c	do	do	Feb. 15, 1974.
St. Regis Paper Co:					
Steam Boiler No. 1 Permit no. AO 28-2026.	Lake Placid, Florida.	17-2.04(6)(e)2.c	do	do	Jan. 1, 1975.
Steam Boiler No. 2 Permit no. AO 28-2027.	do	17-2.04(6)(e)2.c	do	do	Do.
Sebring Utilities Commission Permit no. AO 28-2020.	Sebring, Florida	17-2.04(6)(e)2.c	do	do	July 1, 1975.
LEE COUNTY					
Harper Brothers Permit no. AO 36-2012.	Ft. Myers, Florida.	17-2.04(2)	May 15, 1973	Immediately	June 14, 1974.
Warren Brothers Permit no. AO 36-2010.	do	17-2.04(2)	do	do	June 1, 1974.
SARASOTA COUNTY					
Warren Brothers Permit no. AO 58-2011.	Sarasota, Florida.	17-2.04(2)	May 15, 1973	Immediately	July 1, 1974.

AIR QUALITY CONTROL REGION NO. 52

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
CITRUS COUNTY					
l Contracting, Inc. Permit . AO 9-2020.	Inverness, Florida.	17-2.04(2)	Apr. 17, 1973	Immediately	July 1, 1974.
a Power Corp., Crystal er Plant:					
t No. 1 Permit no. AO 9-378.	Red Level, Florida.	17-2.04(6)(e)2.a	do	do	July 1, 1975.
t No. 2 Permit no. AO 9-377.	do	17-2.04(6)(e)2.a	do	do	Do.
t No. 1 Permit no. AO 9-378.	do	17-2.04(6)(e)2.c	do	do	Feb. 1, 1975.
t No. 2 Permit no. AO 9-377.	do	17-2.04(6)(e)2.c	do	do	Do.
HARDEE COUNTY					
a River Processors, Inc. mit no. AO 25-2124.	Wauchula, Florida.	17-2.04(6)(e)3	May 15, 1973	Immediately	July 1, 1975.
l Crate Company Permit . SO 25-2017.	do	17-2.04(1)(a)(b)(c).	do	do	Jan. 1, 1974.
HERNANDO COUNTY					
ksville Citrus Growers Asso- tion Permit no. AO 27-167.	Brooksville, Florida.	17-2.04(6)(e)	May 15, 1973	Immediately	July 1, 1975.
ical Lime, Inc:					
) Dryer Permit no. AO 27-389.	do	17-2.04(2)	do	do	Mar. 24, 1975.
) Kiln Permit no. AO 27-390	do	17-2.04(2)	do	do	Do.
) Hydrator Plant Permit no. AO 27-391.	do	17-2.04(2)	do	do	Do.
) Bagging Operation Permit no. AO 27-392.	do	17-2.04(2)	do	do	Do.
y Service Corporation: Citrus l Dryer Permit no. AO 27-02.	do	17-2.04(2)	do	do	June 2, 1975.
HILLSBOROUGH COUNTY					
rican Can Company Permit . AO 29-2169.	Tampa, Florida	17-2.04(5)	May 15, 1973	Immediately	July 1, 1975.
rican Oil Company Permit . AO 29-2133.	do	17-2.04(6)(e)3	do	do	Mar. 1, 1974.
n Inc. Permit no. AO 29-82.	Plant City, Florida.	17-2.04(3)	do	do	July 1, 1975.
. Industries:					
osphate Plant Permit no. AO 29-2083.	Zephyr Hills, Florida.	17-2.04(2),(3),(6)(c).	do	do	Do.
lfuric Acid Plants Permit no. AO 29-2083.	do	17-2.04(6)(b)1	do	do	Sept. 1, 1973.
e Brothers Contracting Com- ny E. Osborne Ave. Permit . AO 29-2165.	Tampa, Florida	17-2.04(2)	do	do	May 1, 1974.
e Brothers Contracting Com- ny 14814 N. 12th St. Permit . AO 29-2166.	do	17-2.04(2)	do	do	Do.
mport Drugs, Inc. Permit no. 29-2035.	do	17-2.04(6)(a)	do	do	Oct. 1, 1973.
o Terminals, Inc. Permit . AO 29-2119.	do	17-2.04(2) & (3)	do	do	July 1, 1975.
m Associated Permit no. 29-2170.	do	17-2.04(2) & (3)	do	do	Do.
a Sip, Inc. Permit no. AO -2121.	Plant City, Florida.	17-2.04(2)(6)(e)3.	do	do	July 1, 1974.
a Steel Corp. Permit no. 29-2177.	Tampa, Florida	17-2.04(2) & (3)	do	do	July 1, 1975.

AIR QUALITY CONTROL REGION NO. 52—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
General Portland Inc:					
Kiln No. 1-No. 5 Case no. 205899.	......do	17-2.04(6)(f)	......do	......do	Aug. 1, 1973.
Clinker Cooler No. 1-No. 6 Case no. 205899.	......do	17-2.04(6)(f)	......do	......do	May 1, 1974.
Material Handling Case no. 205899.	......do	17-2.04(3)	......do	......do	Do.
Fugitive Dust Generation Case no. 205899.	......do	17-2.04(3)	......do	......do	Do.
All Other Sources Permit no. AO 29-2181.	......do	17-2.04(2),(3),(6)(f)	......do	......do	July 1, 1975.
Gant Shopping Center Permit no. SO 29-2037.	Brandon, Florida.	17-2.04(6)(a)	......do	......do	Oct. 1, 1973.
Gardinier, Inc. Permit no. AO 29-2180.	Gibsonton, Florida.	17-2.04(6)(b)	......do	......do	July 1, 1975.
W. R. Grace & Company 1604 36th St. Permit no. AO 29-2182.	Tampa, Florida	17-2.04(2)(3)	......do	......do	Do.
W. R. Grace & Company 35th & 3rd Ave. Permit no. AO 29-2132.	......do	17-2.04(2)(3)	......do	......do	Do.
International Minerals & Chemicals Corp. Permit no. AO 29-2173.	Port Sutton, Florida.	17-2.04(2),(3)	......do	......do	Do.
Jos Schlitz Brewing Co. Permit no. AO 29-2112.	Tampa, Florida	17-2.04(6)(e)3	......do	......do	Do.
Kaiser Agricultural Chemicals:					
Cooler & Dryer Granulation Plant Permit no. AO 29-2130.	......do	17-2.04(2),(3)	......do	......do	July 1, 1974.
Nitric Acid Plant Permit no. AO 29-2129.	......do	17-2.04(6)(g)2	......do	......do	July 1, 1975.
Loading & Unloading Facilities Permit no. AO 20-2128.	......do	17-2.04(3)	......do	......do	Do.
Mineral Aggregates, Inc. Permit no. AO 29-2172.	......do	17-2.04(2)	......do	......do	Jan. 1, 1975.
National Gypsum Co.:					
Holo-Flite Unit Permit no. AO 29-2174.	......do	17-2.04(2)	......do	......do	July 1, 1975.
Rock Dryer Permit no. AO 29-2175.	......do	17-2.04(2)	......do	......do	Do.
Wallboard Dryer Permit no. AO 29-2176.	......do	17-2.04(2)	......do	......do	Do.
Nitram, Inc. Permit no. AO29-2179.	......do	17-2.04(2),(3),(6)(a),(e)3,(g).	......do	......do	Do.
Penny-Saver Grocery Permit no. SO 29-2034.	......do	17-2.04(6)(a)	......do	......do	Oct. 1, 1973.
Reynolds Metal Co. Permit no. AO 29-2178.	......do	17-2.03(1)17-2.04(5).	......do	......do	July 1, 1975.
River Gulf Terminal, Inc. Permit no. AO 29-2188.	......do	17-2.04(3),(2)	......do	......do	Do.
Robbins Manufacturing Company Permit no. AO 29-2125.	......do	17-2.04(6)(a)	......do	......do	Mar. 1, 1974.
Seaboard Coastline Railroad Permit no. AO 29-2189.	......do	17-2.04(2),(3)	......do	......do	July 1, 1975.
Security Feeds (Feeds for Florida, Inc.) Permit no. AO 29-2183.	......do	17-2.04(3)	......do	......do	Do.
Tampa, City of; Tampa Municipal Incinerator Board Order-No. 73-40.	......do	17-2.04(6)(a)	......do	......do	Mar. 1, 1975.
Tampa, City of; Water Department Permit no. AO 29-2122.	......do	17-2.04(6)(e)3	......do	......do	Mar. 1, 1974.
Tampa Electric Co:					
Hookers Point Units No. 1-6 Permit no. AO 29-2093.	......do	17-2.04(6)(e)2 a, b, c, e.	......do	......do	June 30, 1976.
Big Bend Station Unit 1 & 2 Permit no. AO 29-2092.	North Ruskin, Florida.	17-2.04(6)(e)2d	......do	......do	July 1, 1975.

Air Quality Control Region No. 52—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
lend Station Unit 1 Permit AO 29-2032.	......do	17-2.04(6)(e)2a	......do	......do	Sept. 30, 1974.
lend Station Unit 2 Permit AO 29-2092.	......do	17-2.04(6)(e)2a	......do	......do	Aug. 30, 1973.
Gannon Station Units 1- Permit no. AO 29-2191.	Tampa, Florida	17-2.04(6)(e)2a,c.	......do	......do	Apr. 30, 1975.
Gannon Station Units 5 6 Permit no. AO 29-2191.	......do	17-2.04(6)(e)2d	......do	......do	July 1, 1975.
Gannon Station Unit 5 rmit no. AO 29-2191.	......do	17-2.04(6)(e)2a	......do	......do	July 30, 1974.
Gannon Station Unit No. Permit no. AO 29-2191.	......do	17-2.04(6)(e)2a	......do	......do	May 30, 1974.
tway Food Store Permit SO 29-2036.	Brandon, Florida.	17-2.04(6)(a)	......do	......do	Oct. 1, 1973.
s Manufacturing Compa- Permit no. SO 29-2125.	Tampa, Florida	17-2.04(6)(a)	......do	......do	Mar. 1, 1974.
LEVY COUNTY					
a Power Corp:					
k No. 1, Units No. 1 3 & Permit no. AO 38-2041.	Inglis, Florida	17-2.04(6)(e)	May 15, 1973	Immediately	Feb. 15, 1974.
k No. 2, Units No. 2 & 4 rmit no. AO 38-2042.	......do	17-2.04(6)(e)	......do	......do	Do.
k No. 3, Unit No. 6 Permit o. AO 38-2043.	......do	17-2.04(6)(e)	......do	......do	Do.
ia-Pacific Corporation:					
er No. 1 Permit no. AO 8-2028.	Chiefland, Florida.	17-2.04(2)	......do	......do	July 1, 1974.
er No. 2 Permit no. AO 8-2029.	......do	17-2.04(2)	......do	......do	Do.
er No. 3 Permit no. AO 8-2030.	......do	17-2.04(2)	......do	......do	Do.
MANATEE COUNTY					
n, Inc. Chemical Div./ ith Douglas:					
furic Acid Plant Permit no. O 41-2042.	Piney Point, Florida.	17-2.04(6)(b)1	May 15, 1973	Immediately	July 1, 1975.
iliary Boiler Permit no. AO 1-2043.	......do	17-2.04(6)(e)2c	......do	......do	Apr. 1, 1974.
ee Terminals, Inc. Permit AO 41-2044.	Port Manatee, Florida.	17-2.04(3)	......do	......do	June 14, 1974.
PASCO COUNTY					
Little and Sons, Inc. Permit AO 51-2123.	New Port Richey, Florida.	17-2.04(2)	May 15, 1973	Immediately	July 8, 1974.
s Packing Company Citrus ed Mills Permit no. AO 51- 55.	Dade City, Florida.	17-2.04(2)	......do	......do	June 1, 1975.
s Pasco Packing Company trus Processing Plant):					
wer Plant Boiler No. 2 Permit no. AO 51-2074.	......do	17-2.04(6)(e)2c	......do	......do	July 1, 1975.
wer Plant Boiler No. 3 Permit no. AO 51-2075.	......do	17-2.04(6)(e)2c	......do	......do	Do.
wer Plant Boiler No. 4 Permit no. AO 51-2076.	......do	17-2.04(6)(e)2c	......do	......do	Do.
wer Plant Boiler No. 5 Permit no. AO 51-2077.	......do	17-2.04(6)(e)2c	......do	......do	Do.
amin P. Boiler Permit no. AO 51-2078.	......do	17-2.04(6)(e)2c	......do	......do	Do.
oncentrate Plant Boiler Permit no. AO 51-2079.	......do	17-2.04(6)(e)2c	......do	......do	Do.

AIR QUALITY CONTROL REGION NO. 52—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Winn Dixie Stores, Inc. Store No. 695 Permit no. SO 51-2007.	Holiday, Florida	17-2.04(6)(a)	do	do	Jan. 1, 1974.
Lykes Pasco Packing Company (Citrus Processing Plant):					
D-9 Rotary Dryer Permit no. AO 51-2059.	Dade City, Florida.	17-2.04(2)	do	do	July 1, 1975.
D-5 Rotary Dryer Permit no. AO 51-2060.	do	17-2.04(2)	do	do	Do.
D-6 Rotary Dryer Permit no. AO 51-2061.	do	17-2.04(2)	do	do	Do.
D-7 Rotary Dryer Permit no. AO 51-2062.	do	17-2.04(2)	do	do	Do.
D-8 Rotary Dryer Permit no. AO 51-2063.	do	17-2.04(2)	do	do	Do.
D-10 Rotary Dryer Permit no. AO 51-2065.	do	17-2.04(2)	do	do	Do.
D-11 Rotary Dryer Permit no. AO 51-2066.	do	17-2.04(2)	do	do	Do.
D-12 Rotary Dryer Permit no. AO 51-2067.	do	17-2.04(2)	do	do	Do.
D-13 Rotary Dryer Permit no. AO 51-2068.	do	17-2.04(2)	do	do	Do.
D-14 Rotary Dryer Permit no. AO 51-2069.	do	17-2.04(2)	do	do	Do.
D-15 Rotary Dryer Permit no. AO 51-2070.	do	17-2.04(2)	do	do	Do.
D-16 Rotary Dryer Permit no. AO 51-2071.	do	17-2.04(2)	do	do	Do.
D-17 Rotary Dryer Permit no. AO 51-2072.	do	17-2.04(2)	do	do	Do.
D-18 Rotary Dryer Permit no. AO 51-2073.	do	17-2.04(2)	do	do	Do.
Waste Heat Evaporator Permit no. AO 51-2080.	do	17-2.04(2)	do	do	Do.
PINELLAS COUNTY					
David Bilgore and Company, Inc. Permit no. AO 52-2048.	Clearwater, Florida.	17-2.04(2)	May 15, 1973	Immediately	June 2, 1975.
Florida Power Corporation—Bartow Plant—Weedon Island:					
Unit No. 1 Permit no. AO 52-2037.	St. Petersburg, Florida.	17-2.04(6)(e)2c	do	do	Jan. 5, 1974.
Unit No. 2 Permit no. AO 52-2038.	do	17-2.04(6)(e)2c	do	do	Do.
Unit No. 3 Permit no. AO 52-2039.	do	17-2.04(6)(e)2c	do	do	Do.
Florida Power Corp. Bayboro Plant 13th Ave S @ 3rd St:					
Unit No. 2 Permit no. AO 52-2044.	do	17-2.04(6)(e)2c	do	do	Feb. 15, 1974.
Unit No. 3 Permit no. AO 52-2045.	do	17-2.04(6)(e)2c	do	do	Do.
Unit No. 4 Permit no. AO 52-2046.	do	17-2.04(6)(e)2c	do	do	Do.
Florida Power Corp. Higgins Plant:					
Unit No. 1 Permit no. AO 52-2040.	Oldsmar, Florida	17-2.04(6)(e)2c	do	do	Do.
Unit No. 2 Permit no. AO 52-2041.	do	17-2.04(6)(e)2c	do	do	Do.
Unit No. 3 Permit no. AO 52-2042.	do	17-2.04(6)(e)2.c	do	do	Do.
Moorefield Paving Contractors, Inc. Permit no. AO 52-2047.	Largo, Florida	17-2.04(2)	do	do	Jan. 1, 1974.
Stauffer Chemical Co:					
(a) Boiler Permit no. AO 52-2054.	Tarpon Springs, Florida.	17-2.04(6)(e)3	do	do	June 4, 1975.

AIR QUALITY CONTROL REGION NO. 52—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
b) Roaster Permit no. AO 52-2095.	......do	17-2.04(3)(6)(c)1.b.	......do	......do	June 1, 1975.
c) Phosphorus Furnace Permit no. AO 52-2053.	......do	17-2.04(1)	......do	......do	Do.
d) Nodulizing Kiln Permit no. AO 52-2050.	......do	17-2.04(2)(6)(c)1b.	......do	......do	Feb. 15, 1974.
P. Hood & Sons, Inc. Boiler House Permit no. AO 52-2034.	Dunedin, Florida	17-2.04(6)(e)3	......do	......do	Jan. 1, 1974.
esge Store Permit no. SO 52-2010.	St. Petersburg, Florida.	17-2.04(6)(a)3	......do	......do	Do.
ellas Cigar Co. Permit no. SO 52-2008.	......do	17-2.04(6)(a)3	......do	......do	Do.
Johns Catholic Church: Permit no. SO 52-2011.	......do	17-2.04(6)(a)3	......do	......do	Do.
rida Power Corp.: Higgins Plants Nos. 4, 5, 6, and 7 Permit no. AO 52-2036.	Oldsmar, Florida	17-2.04(6)(e)2c	......do	......do	Do.
P. Hood & Sons, Inc.: Citrus Feed Mill Permit no. AO 52-2033.	Dunedin, Florida	17-2.04(2)	......do	......do	Do.
W. Woolworth:					
Store No. 6045 Permit no. SO 52-2005.	St. Petersburg, Florida.	17-2.04(6)a	......do	......do	July 1, 1973.
Store No. 6146 Permit no. 52-2004.	......do	17-2.04(6)a	......do	......do	Do.
POLK COUNTY					
rico Chemical Company Permit no. AO 53-2145.	South Pierce, Florida.	17-2.04(3)	May 15, 1973	Immediately	July 1, 1975.
rico Chemical Permit no. AO 53-2146.	Pierce, Florida	17-2.04(2)(3)	......do	......do	Do.
cme Packing Company Permit no. AO 53-358.	Lake Wales, Florida.	17-2.04(2)	......do	......do	Do.
ue Seal Asphalt Company Permit no. AO 53-2154.	Lakeland, Florida.	17-2.04(2)	......do	......do	Jan. 1, 1974.
rden, Inc.: Chemical Division Permit no. AO 53-2141.	......do	17-2.04(3)	......do	......do	July 1, 1975.
ewster Phosphates, Inc.: Permit no. AO 53-2096.	Bradley, Florida	17-2.04(2)(3)	......do	......do	June 1, 1975.
F. Chemical Ind. Inc.:					
Sulfuric Acid Plants No. 1 and No. 2 Permit no. AO 53-2094.	Bartow, Florida	17-2.04(6)(b)	......do	......do	July 1, 1975.
Sulfuric Acid Plants No. 3 and No. 4 Permit no. AO 53-2094.	......do	17-2.04(6)(b)	......do	......do	Do.
Sulfuric Acid Plants No. 5 and No. 6 Permit no. AO 53-2094.	......do	17-2.04(6)(b)	......do	......do	May 1, 1975.
y of Lakeland Power Plants:					
Unit No. 7, Boiler No. 12 Permit no. AO 53-576.	Lakeland, Florida.	17-2.04(6)((e)	......do	......do	June 1, 1975.
Unit No. 4, No. 9 Boiler Permit no. AO 53-577.	......do	17-2.04(6)(e)	......do	......do	Do.
s Turbines No. 1, No. 2, No. 3 Permit no. AO 53-578.	......do	17-2.04(6)(e)	......do	......do	Do.
sen Plt. Unit No. 5, Boiler No. 10 Permit no. AO 53-579.	......do	17-2.04(6)(e)	......do	......do	Do.
sen Plt. Unit No, 6, Boiler No. 11 Permit no. AO 53-580.	......do	17-2.04(6)(e)	......do	......do	Do.
a World, Inc:					
00,000 No. hr. Waste Heat Evaporator Permit no. AO 53-567.	Lake Wales, Florida.	17-2.04(2)	......do	......do	June 1, 1974.
st Cooler Scrubber Permit no. AO 53-568.	......do	17-2.04(2)	......do	......do	Do.
0,000 No. hr. Waste Permit no. AO 53-569.	......do	17-2.04(2)	......do	......do	Do.

AIR QUALITY CONTROL REGION NO. 52—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance
Peel Cooler Permit no. AO 53-570.	do	17-2.04(2)	do	do	Do.
Storage Bin Cooler System Permit no. AO 53-571.	do	17-2.04(2)	do	do	June 1, 1975.
Pellet Cooler System Permit no. AO 53-572.	do	17-2.04(2)	do	do	Do.
Air conveyor, Discharge Stack Permit no. AO 53-573.	do	17-2.04(2)	do	do	June 1, 1974.
Coca-Cola Company Foods Division Boilers Permit no. AO 53-2153.	Auburndale, Florida.	17-2.04(6)(e)3	do	do	July 1, 1975.
D. S. Prosser, Jr., Partnership Permit no. AO 53-2150.	Highland City, Florida.	17-2.04(2)	do	do	June 1, 1974
Eger Concrete Co., Inc. Permit no. AO 53-2164.	Auburndale, Florida.	17-2.04(2)	do	do	Jan. 1, 1974.
Farmland Industries, Inc. Permit no. AO 53-2137.	Green Bay, Florida.	17-2.04(3)	do	do	July 1, 1975.
Florida Tile Industries Inc. (Sikes Corp.) Permit no. AO 53-2155.	Lakeland, Florida.	17-2.03(1)	do	do	Jan. 1, 1974
Hunt Brothers Permit no. AO 53-2159.	Lake Wales, Florida.	17-2.04(6)(e)	do	do	July 1, 1975
International Minerals & Chemicals Company, Noralyn Plant Permit no. AO 53-2138.	Mulberry, Florida.	17-2.04(2), (3)	do	do	June 1, 197
Kraft Foods—Div. of Kraft Co. Citrus Pulp Drying Plant Boilers Permit no. AO 53-2161.	Lakeland, Florida.	17-2.04(6)(e)3	do	do	July 1, 1975
Lake Hamilton Citrus, Inc. Permit no. AO 53-2166.	Bartow, Florida	17-2.04(2)	do	do	June 1, 197
Macasphalt Corp. Unit No. 4 Permit no. AO 53-2134.	Lake Wales, Florida.	17-2.04(2)	do	do	Jan. 1, 197
Mobil Chemical Company Permit no. AO 53-2142.	Nichols, Florida	17-2.04(2), (3)	do	do	July 1, 197
Orlando Paving Company Permit no. AO 53-2160.	Loughman, Florida.	17-2.04(2)	do	do	June 1, 197
Owens-Illinois Permit no. AO 53-2167.	Lakeland, Florida.	17-2.04(2)	do	do	Jan. 1, 197
Royster Company Permit no. AO 53-2061.	Mulberry, Florida.	17-2.04(6)(b)	do	do	July 1, 197
Standard Sand & Silica Company:					
Flint Rock Dryer Permit no. AO 53-2156.	Davenport, Florida.	17-2.04(2)	do	do	July 1, 197
No. 2 Silica Dryer Permit no. AO 53-2158.	do	17-2.04(2)	do	do	Do.
No. 1 Silica Dryer Permit no. AO 53-2157.	do	17-2.04(2)	do	do	Do.
Sun Coast Canning Company Citrus Feed Mill Permit no. AO 53-2163.	Ft. Meade, Florida.	17-2.04(2)	do	do	July 1, 197
Swift and Company Permit no. AO 53-2135.	Bartow, Florida	17-2.04(2), (3), (6)(b).	do	do	Do.
USS Agri-Chemical Co. Permit no. AO 53-2139.	do	17-2.04(2), (6) (b), (c), (e)3.	do	do	Do.
USS Agri-Chemical Co. Permit no. AO 52-2144.	Ft. Meade, Florida.	17-2.04 (2) and (3) 17-2.04(6) (b), (c), (e)3.	do	do	Do.
West Gibson Department Store Permit no. SO 53-2019.	Lakeland, Florida.	17-2.04(6)(a)	do	do	Jan. 1, 1
Woolco Department Store (Lake Parker Shopping Mall) Permit no. SO 53-2025.	do	17-2.04(6)(a)	do	do	Do.
W. R. Grace & Company Bartow Works Permit no. AO 53-2136.	Bartow, Florida	17-2.04 (2), (3), (6)(b).	do	do	July 1, 1
W. R. Grace & Company Marco Chemical Div. Permit no. SO 53-2024.	do	17-2.04(6)(a)(3)	do	do	Jan. 1, 1
Yogurt Master Permit no. SO 53-2020.	Lakeland, Florida.	17-2.04(6)(a)	do	do	Do.

AIR QUALITY CONTROL REGION NO. 52—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
ytco Chemical Company ermit no. AO 53-2145.	South Pierce, Florida.	17-2.04(3), (6)(b)(1).	......do......	......do......	July 1, 1975.
us World, Inc. Peel Dryer ermit no. AO 53-566.	Lake Wales, Florida.	17-2.04(2)......	......do......	......do......	June 1, 1974.
an Fruit Corp. Permit no. AO 53-2162.	Frostproof, Florida.	17-2.04(6)(e)......	......do......	......do......	July 1, 1975.
SUMTER COUNTY					
e Lime & Stone Co.:					
uick Lime Plant Permit no. AO 60-711.	Sumterville, Florida.	17-2.04(2)......	Apr. 17, 1973......	Immediately......	Feb. 15, 1975.
ne Limestone Plant Permit no. AO 60-712.	......do......	17-2.04(2)......	......do......	......do......	Do.

8 FR 16145, June 20, 1973, as amended at 38 FR 22740, Aug. 23, 1973; 38 FR 24333, 24342, ept. 7, 1973; 38 FR 26325, Sept. 19, 1973; 40 FR 11724, 11725, Mar. 13, 1975; 51 FR 40676, 0677, Nov. 7, 1986]

2.525 General requirements.

(a) The requirements of § 51.116(c) f this chapter are not met since the gal authority to provide for public ailability of emission data is inadquate.

(b) Regulation for public availability f emission data. (1) Any person who annot obtain emission data from the gency responsible for making emision data available to the public, as pecified in the applicable plan, conerning emissions from any source ubject to emission limitations which re part of the approved plan may reuest that the appropriate Regional dministrator obtain and make public uch data. Within 30 days after receipt f any such written request, the Reional Administrator shall require the wner or operator of any such source o submit information within 30 days n the nature and amounts of emisions from such source and any other nformation as may be deemed necesry by the Regional Administrator to etermine whether such source is in mpliance with applicable emission mitations or other control measures hat are part of the applicable plan.

(2) Commencing after the initial nofication by the Regional Administrar pursuant to paragraph (b)(1) of his section, the owner or operator of e source shall maintain records of e nature and amounts of emissions om such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55328, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.526 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since section 403.111 of the Florida Statutes could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 403.111 is disapproved.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.527 Control strategy: General.

(a) Since the testing and research rule (FAC 17-1.585) submitted by the Florida Department of Environmental Regulation on April 7, 1980, as a revision of the plan does not meet the requirements of Section 110 of the Clean Air Act and the requirements of section 51.8 of this chapter, it is disapproved, and is not part of the plan.

(b) [Reserved]

[48 FR 52303, Nov. 17, 1983]

§ 52.528 Control strategy: Sulfur oxides and particulate matter.

(a) [Reserved]

(b) The variance granted to the Turkey Point and Port Everglades plants of Florida Power and Light Company from the particulate emission limits of the plan is disapproved because the relaxed limits would cause violation of the Class I increment for sulfur dioxide in the Everglades National Park. These plants must meet the 0.1#/MMBTU particulate limit of the plan.

[48 FR 33868, July 26, 1983]

§ 52.529 Maintenance of national standards.

(a) The areas listed below which were identified by the State of Florida are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area, including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Jacksonville Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of the area:

Duval County.

(2) Lakeland-Winter Haven Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Polk County.

(3) Tampa-St. Petersburg Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

Hillsborough County, Pinellas County.

[40 FR 41949, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.530 Significant deterioration of air quality.

(a) EPA approves the Florida Prevention of Significant Deterioration (PSD) rule on condition that the State submit to EPA by December 14, 1983, a demonstration that its method of calculating increment consumption is consistent with Federal law and regulations. After receipt of the submittal and consideration of additional comments, EPA will, if it finds the State's method to be consistent, fully approve the Florida plan. If not, the State will change its regulation to implement EPA's approach.

(b) Pending final full approval of the State's PSD plan by EPA, if a source's application can be approved under Florida's rules, but not under EPA's rules, solely because of the different methods of calculating increment consumption, the source must obtain a PSD permit from EPA before beginning construction.

(c) All applications and other information required pursuant to § 52.21 of this part from sources located in the State of Florida shall be submitted to the Florida Department of Environmental Regulation, Bureau of Air

Quality Management, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301.

(d) The requirements of sections 160 through 165 of the CAA are not met since the Florida plan, as submitted, does not apply to certain sources. Therefore, the provisions of § 52.21(b) through (w) are hereby incorporated by reference and made a part of the Florida plan for:

(1) Sources proposing to locate on Indian reservations in Florida; and

(2) Permits issued by EPA prior to approval of the Florida PSD rule.

[45 FR 52741, Aug. 7, 1980, as amended at 46 FR 17020, Mar. 17, 1981; 48 FR 52716, Nov. 22, 1983]

§ 52.531 [Reserved]

§ 52.532 Extensions.

(a) The Administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submittal of Florida's plans to attain and maintain the secondary ambient standard for particulate matter in the Jacksonville and Tampa nonattainment areas (40 CFR 81.310).

[45 FR 2033, Jan. 10, 1980; 45 FR 28112, Apr. 28, 1980]

§ 52.533 Source surveillance.

The plan lacks test methods for several source categories. As required by § 52.12(c)(1) of this part, EPA test methods (found at 40 CFR Part 60) will be used by EPA to determine compliance with the following emission limiting standards:

(a) Particulate emissions from citrus plants controlled by a scrubber and subject to the process weight table (submitted as 17-2.05(2) and reformatted as 17-2.610(1)1.a).

(b) TRS emissions from recovery furnaces at kraft pulp mills (submitted as 17-2.05(6)D and reformatted as 17-2.600(4)1).

(c) Sulfur dioxide emissions from fossil fuel steam sources (submitted as 17-2.05(6)E and reformatted as 17-2.600 (5) and (6)).

(d) Emissions from portland cement plants (submitted as 17-2.05(6)F and reformatted as 17-2.600(7)).

(e) Particulate and visible emissions from carbonaceous fuel burning equipment (submitted as 17-2.05(6)I and reformatted as 17-2.600(10)).

[47 FR 32116, July 26, 1982]

§ 52.534 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility new source review. The provisions of § 52.28 are hereby incorporated and made part of the applicable plan for the State of Florida.

[51 FR 5505, Feb. 13, 1986]

§ 52.535 Rules and regulations.

(a) The regulatory portion of the lead implementation plan submitted on September 17, 1984, is disapproved because the laws or regulations needed to implement specific measures necessary to assure attainment and maintenance of the NAAQS for lead were not included.

(b) The following requirements shall apply to all the facilities listed in paragraph (c) of this section:

(1) The facilities listed in paragraph (c) of this section shall conduct an initial test on all sources of lead emissions specified for each facility within 120 days of promulgation of this regulation, unless such sources have been tested within the previous 12 months, and the results submitted to EPA, Region IV, within 30 days after promulgation, and approved. Such test shall demonstrate compliance with the specified emission limit for each source. Source test methods and analytical procedures used shall be in accordance with provisions of Part 60, Appendix A, Method 9 and 12. For source testing, a plan of testing including the date(s) the tests will be performed, a description of the test equipment and procedures to be used and the sampling locations with appropriate dimensions, showing upstream and downstream gas flow disturbances, shall be submitted to the EPA Region IV Administrator thirty (30) days prior to the initial test. Results of all

source testing and compliance determinations shall be submitted to the Region IV Administrator within thirty (30) days after completion of the test. After completion of the initial performance test required above, the facilities shall conduct annual stack tests for all sources with a specified emission limit.

(2) Non-process fugitive emissions, (i.e., road dust, stock piles, plant grounds, etc.) shall be minimized. Minimization efforts shall include such fugitive dust suppression activities as: chemical stabilization, water spraying with appropriate runoff collection, resurfacing, sweeping, revegetation, and other EPA approved methods. Minimization efforts shall be monitored by EPA via site inspections and review of records and logs of fugitive dust suppression efforts.

(3) Upon submittal and approval by EPA, the Agency will accept an alternative method to demonstrate compliance with the specified emission limit. A submittal for an alternative compliance method must provide an exclusive means (i.e., mathematical relationship with established parameter(s)) to determine compliance with the applicable emission limit. Until an alternative compliance method request is approved by EPA, the initial and annual test requirements will remain in effect.

(4) The owner(s) or operator(s) shall maintain continuous records of plant process and emission control operations as necessary to determine continuous compliance. Such records shall include reports of all process operations and control equipment operating parameters. Such records shall also include reports of all types of process upsets and emission control equipment malfunction, detailing the nature and duration of the upset or malfunction, the expected effects on emissions, and the corrective actions taken or planned to avoid recurrences. Such records shall be available at the plant site for inspections by the Region IV Administrator of EPA for a period of at least two (2) years.

(5) Source tests shall be performed in accordance with EPA Reference Methods 1 through 4, 9, and 12 (40 CFR 60, Appendix A). In the case of Method 9, Section 2.5 shall be excluded.

(6) All emissions testing shall be performed at the maximum production rate, or other production rate or operating conditions, which would result in the highest lead emissions.

(c) The following requirements are promulgated as applicable to the indicated stationary sources of lead:

(1) Gulf Coast Lead, 1901 North 66th Street, Tampa, FL. Secondary Lead Smelter Operation.

(i) All emission points shall be limited to the following levels:

Source name	Lead emission rate lb/hr
Blast & Slag Furnaces	1.810
Blast & Slag Furnaces Slag & Product Tapping	0.060
Blast Furnace Charging	0.220
50-ton Melt Kettles (3 total)	0.400
20-ton Keel Cast Kettle	0.080
Total	2.570

(ii) Visible emissions from the closed charge doors on the blast furnace and the refining kettle shall not exceed 5 percent opacity during furnace operation.

(iii) Visible emissions from the charge doors on the blast furnace shall not exceed 10 percent opacity during charging operations.

(iv) Visible emissions from all other sources shall not exceed 5 percent opacity.

(v) No more than one blast furnace shall operate at a time.

(vi) No more than two 50-ton melt kettles shall be operated at a time.

(2) Johnson Controls, Globe Battery Division, 10215 North 30th Street, Tampa, FL. Lead—Acid Battery Manufacturing Plant

(i) All emission points shall be limited to the following levels:

Source name	Lead emission rates—lb/hr
OSI Drying Oven—A	0.008
OSI Drying Oven—B	0.008
Hofman VAC System	0.030
Remelt Rotoclone	0.020

Source name	Lead emission rates—lb/hr
Paste Mixing Rotoclone	0.008
Wirtz Caster #1	0.015
Wirtz Caster #2	0.015
Wirtz Caster #3	0.015
Wirtz Caster #4	0.015
Wirtz Caster #5	0.008
Mark V Cast on Strapline	0.118
Cast on Strapline 1 & 2	0.100
Cast on Strapline #3	0.050
Paste Mixing—dry	0.040
Ball Bearing	0.006
PbO Storage	0.010
Total	0.464

(ii) Visible emissions from all emission points shall not exceed 5 percent opacity during operation.

(3) [Reserved]

(4) Chloride Metals, US. 41/Raleigh Street, Tampa, FL. Secondary Lead Smelter Operation

(i) All emission points shall be limited to the following levels:

Source name	Lead emission rates—lb/hr
Blast Furnace #1	0.600
Slag & Product Tapping—Furnace #1	0.100
Blast Furnace #2	0.080
Slag & Product Tapping—Furnace #2	0.050
Remelt Kettles (4 total)	0.200
PbO Plant	0.220
PbO Transfer	0.220
Total	1.470

(ii) Visible emissions from the closed charge doors on Furnaces No. 1 and 2 shall not exceed 5 percent opacity during furnace operation.

(iii) Visible emissions from the charge doors on Furnaces No. 1 and 2 shall not exceed 10 percent opacity during charging operations.

(iv) Visible emissions from the lead oxide plant shall not exceed 5 percent opacity.

(v) Visible emissions from all other sources shall not exceed 5 percent opacity.

(5) Gould Battery (GNB), 11331 Satellite Boulevard, Orlando, FL. Lead—Acid Battery Manufacturing Plant.

(i) All emission points shall be limited to the following levels:

Source name	GNB ID #	Lead emission rates—lb/hr
Pasting/Parting	B1	0.1950
Assembly	B2	0.2188
Casting, QC Mixing	B3	0.1808
Assembly	B4	0.2998
Assembly	B5	0.4902
Bulk Oxide	B6	0.0142
Central Vaccum	B7	0.0068
Pot Hood	E1	0.1190
Pot Hood	E2	0.0096
Pot Hood	E3	0.0096
Tray Exhaust	E4	0.1238
Paste Oven POS	E5	0.0048
Paste Oven NEG	E6	0.0048
Total		1.6800

(ii) Visible emissions from all emission points shall not exceed 5 percent opacity during operation.

(iii) The following sources shall be limited to operating 4000 hours per year: Pasting/Parting, GNB ID #B1; Assembly,GNB ID #B2; Assembly, GNB ID #B4; Assembly, GNB ID #B5; Central Vaccum, GNB ID #B7; Tray Exhaust, GNB ID #E4; Paste Oven POS, GNB ID #E5; Paste Oven NEG, GNB ID #E6.

(iv) The Bulk Oxide point source, GNB ID #B6, shall be limited to operating 1000 hours per year.

(v) The following sources shall be limited to operating 5000 hours per year:

Casting, QC Mixing, GNB ID #B3; Pot Hood, GNB ID #E1; Pot Hood, GNB ID #E2; Pot Hood, GNB ID #E3.

[50 FR 45605, Nov. 1, 1985, as amended at 50 FR 52328, Dec. 23, 1985]

Subpart L—Georgia

§ 52.570 Identification of plan.

(a) Title of plan: "Implementation Plan for Attainment of State and National Ambient Air Standards."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Revisions to paragraph (a)(2) of Code Chapter 88-9 submitted on

March 28, 1972, by the Assistant Attorney General.

(2) Certification of public hearing submitted on February 14, 1972, by the Georgia Department of Health.

(3) Miscellaneous non-regulatory additions to the plan submitted on March 9, 1972, by the Georgia Department of Health.

(4) Clarifying comments on the plan submitted on May 5, 1972, by the Georgia Department of Health.

(5) Certification of public hearing and miscellaneous additions to Chapter 391-3-1, Sections .02(2)(d), .02(2)(q), .02(2)(r) and .02(6) submitted on July 31, 1972, by the Governor.

(6) Amendments concerning operating permits, Section 391-3-1-.03, submitted on March 20, 1974, by the Georgia Department of Natural Resources.

(7) AQMA identification material submitted on May 17, 1974, by the Georgia Department of Natural Resources.

(8) Revisions to Sections 391-3-1-02(2)(a) and 391-3-1-.02(2)(g) and revocation of Section 391-3-1-02(2)(i) submitted on July 23, 1974, by the Georgia Department of Natural Resources.

(9) Compliance schedules submitted on August 2, 1974, by the Georgia Department of Natural Resources.

(10) Temporary operating permits submitted as compliance schedules on October 8, 1974, by the Georgia Department of Natural Resources.

(11) Temporary operating permits submitted as compliance schedules on November 7, 1974, by the Georgia Department of Natural Resources.

(12) Compliance schedules submitted on January 23, 1975, by the Georgia Department of Natural Resources.

(13) AQMA identification material submitted on March 10, 1975, by the Georgia Department of Natural Resources.

(14) Permit to operate for Georgia Power Company's Plant Atkinson submitted on May 22, 1975, by the Georgia Department of Natural Resources.

(15) Deletion of Section 391-3-1-.02(2)(m), the last sentence in Section 391-3-1-.03(2)(c) and the last sentence in Section 391-3-1-.03(3) submitted on June 30, 1975, by the Georgia Department of Natural Resources.

(16) Miscellaneous plan revisions, submitted on December 16, 1975, by the Georgia Department of Natural Resources.

(17) 1979 Implementation plan revisions for nonattainment areas for ozone, total suspended particulates, and carbon monoxide, submitted on January 17, March 9, 16, 20, June 29, December 27, 1979 and April 8, 1980, by the Georgia Department of Natural Resources.

(18) Order for Georgia Power Company's Plant Bowen, Units 1 and 2, Taylorsville, submitted on May 16, 1979, by the Georgia Department of Natural Resources.

(19) Miscellaneous implementation plan revisions, submitted on March 9, 1979, by the Georgia Department of Natural Resources.

(20) Alternate VOC compliance schedules for Ford and General Motors plants in the Atlanta area, submitted on April 14, 1980 by the Georgia Department of Natural Resources.

(21) Order for Georgia Power Company's Plant Harllee Branch, Unit 3 and 4 submitted on May 13, 1980, by the Georgia Department of Natural Resources.

(22) Air quality surveillance plan submitted on January 29, 1980, by the Georgia Department of Natural Resources.

(23) Permit revision affecting the allowable particulate emission rates from the No. 6 Recovery Boiler, No. 3 Power Boiler and No. 5 Smelt Dissolving Tank at the ITT Rayonier, Inc. in Jesup, Georgia submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(24) Order on Units 1 and 2 of Georgia Power Company's Plant Bowen submitted on December 20, 1980, by the Georgia Department of Natural Resources.

(25) Georgia lead SIP submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(26) Prevention of significant deterioration SIP, submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(27) A modified permit submitted on December 22, 1981, by the Georgia Department of Natural Resources which imposes special reporting and opacity

limitations on Union Camp Corporation's Power Boilers 11 and 12 in Savannah, Georgia.

(28) Set II VOC regulations, submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(29) Alternative VOC compliance schedules for three sources in the Atlanta area (St. Regis Paper Co., Printpack, Inc., and American Can Co.), submitted on December 18, 1980, and May 7, 1981, by the Georgia Department of Natural Resources.

(30) Revisions to the Part D plan for the Atlanta CO nonattainment area, submitted on July 30, 1982, by the Georgia Department of Natural Resources.

(31) Bubble permit for Blue Bird Body Company in Fort Valley, submitted on January 27, 1984, by the Georgia Department of Natural Resources.

(32) Visibility new source review regulations and visibility monitoring strategy were submitted to EPA on May 22, 1985, and October 31, 1985.

(i) Incorporation by reference:

(A) Letter of May 22, 1985, from the Georgia Department of Natural Resources and new paragraph (2)(uu) of Rule No. 391-3-1-.02, titled "Visibility Protection", adopted by the Georgia Board of Natural Resources on May 1, 1985.

(ii) Additional material:

(A) Narrative SIP, titled "Georgia's Plan for Visibility Protection in Class I Areas" which includes the State's Visibility Monitoring Strategy.

(B) Letter dated October 31, 1985, from the Georgia Department of Natural Resources, providing a schedule for the completion of Georgia's Visibility Monitoring Strategy.

[37 FR 10859, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.570, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.571 Classification of regions.

The Georgia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Augusta (Georgia)-Aiken (South Carolina) Interstate	I	II	III	III	III
Metropolitan Atlanta Intrastate	I	I	III	III	III
Chattanooga Interstate	I	II	III	III	III
Columbus (Georgia)-Phenix City (Alabama) Interstate	I	III	III	III	III
Central Georgia Intrastate	I	I	III	III	III
Jacksonville (Florida)-Brunswick (Georgia) Interstate	I	II	III	III	I
Northeast Georgia Intrastate	II	III	III	III	III
Savannah (Georgia)-Beaufort (South Carolina) Interstate	I	I	III	III	III
Southwest Georgia Intrastate	II	II	III	III	III

[37 FR 10859, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

§ 52.572 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Georgia's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below.

[44 FR 54050, Sept. 18, 1979]

§ 52.573 Control strategy: General.

The generic rules and procedures for emission trades (bubbles), submitted on October 27, 1982, by the Georgia Department of Natural Resources, are disapproved because they do not meet the requirements of the Clean Air Act.

[49 FR 44464, Nov. 7, 1984]

§ 52.574 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met since the State failed to submit a plan for the review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Georgia.

[39 FR 7280, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.575 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Georgia's plan.

Air quality control region and nonattainment area	Pollutant						
	TSP		SO		NO	CO	O_3
	Primary	Secondary	Primary	Secondary			
Augusta (Georgia)-Aiken (South Carolina Interstate)	c	c	a	c	b	b	b
Metropolitan Atlanta Intrastate:							
a. Atlanta non-attainment areas [1]	d	f	*c*	*c*	b	e	d
b. Rest of AQCR	*c*	*c*	*c*	*c*	b	b	b
Chattanooga Interstate:							
a. Rossville [1]	d	f	a	*c*	b	b	b
b. Rest of AQCR	*c*	*c*	a	*c*	b	b	b
Columbus (Georgia)-Phenix City (Alabama) Interstate:							
a. Muscogee County	*c*	*c*	b	b	b	b	d
b. Rest of AQCR	*c*	*c*	b	b	b	b	b
Central Georgia Intrastate	*c*	*c*	*c*	*c*	b	b	b
Jacksonville (Florida)-Brunswick (Georgia) Interstate	*c*	*c*	a	*c*	b	b	b
Northeast Georgia Intrastate	a	*c*	b	b	b	b	b
Savannah (Georgia)-Beaufort (South Carolina) Interstate:							
a. Savannah [1]	d	f	*c*	*c*	b	b	b
b. Rest of AQCR	*c*	*c*	*c*	*c*	b	b	b
Southwest Georgia Intrastate	a	*c*	a	*c*	b	b	b

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. July 1975.
d. December 31, 1982.
e. December 31, 1987.
f. 18-month extension granted.

[1] For more precise delineation, see 81.311 of this chapter.

NOTE: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

[45 FR 5701, Jan. 24, 1980]

§ 52.576 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State.

GEORGIA

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Duncan & Johnson Lumber Co., Inc., Conical Burner Permit no. 2421-106-1095-T.	Columbus	391-3-1-.02(2)(1).	July 29, 1974	Immediately	Sept. 16, 1974.
Anderson Gin, Cotton Gin Permit no. 0724-107-1311-T.	Covington	391-3-1-.02(2)(q).	do	do	May 15, 1974.
Arlington Manufacturing Co., Cotton Gin Permit no. 0724-019-1050-T.	Arlington	391-3-1-.02(2)(q).	Apr. 25, 1975	do	Aug. 15, 1974.
John D. Archbold Memorial Hospital, Incinerator Permit no. 8061-136-1237-T.	Thomasville	391-3-1-.02(2)(c).	July 29, 1974	do	Jan. 1, 1975.
Barrow & Prescott, Inc., Cotton Gin Permit no. 0724-061-783-T.	Matthews	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Sept. 1, 1974.
Bacco Co. (Godee Gin), Cotton Gin Permit no. 0724-124-1531-T.	Sylvania	391-3-1-.02(2)(q).	July 29, 1874	do	Aug. 15, 1974.
Battle Lumber Co., Inc., Conical Burner Permit no. 2421-81-1512-T.	Wadley	391-3-1-.02(2)(1).	do	do	Dec. 31, 1974.
Baxley Veneer & Cleat Co., Inc., Conical Burner Permit no. 2499-047-778-T.	Albany	391-3-1-.02(2)(1).	Apr. 25, 1974	do	Jan. 18, 1974.
Beadles Lumber Co., Conical Burner Permit no. 2421-35-1510-T.	Moultrie	391-3-1-.02(2)(1).	July 29, 1974	do	Dec. 31, 1974.
Le Roy T. Bird & Son Ginnery, Cotton Gin Permit no. 0724-016-1161-T.	Portal	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Blakely Peanut Co., Conical Burner Permit no. 5159-49-1483-T.	Blakely	391-3-1-.02(2)(1).	do	do	Aug. 1, 1974.
Blount Asphalt Co., Inc., Hot Mix Asphalt Plant Permit no. 2951-075-1333-T.	Stockbridge	391-3-1-.02(2)(k).	do	do	Sept. 30, 1974.
Buford General Hospital, Incinerator Permit no. 8061-067-880-T.	Buford	391-3-1-.02(2)(c).	Apr. 25, 1974	do	Jan. 1, 1975.
Bee Post Co., Inc., Conical Burner Permit no. 2491-148-1515-T.	Waycross	391-3-1-.02(2)(1).	July 29, 1974	do	Dec. 31, 1974.
Burgin Lumber Co., Inc., Conical Burners Nos. 1, 2, 3 Permit no. 2421-120-1516-T.	Cuthbert	391-3-1-.02(2)(1).	do	do	Do.
Burt Lumber Co., Conical Burner Permit no. 2421-157-1496-T.	Washington	391-3-1-.02(2)(1).	do	do	Do.
Button Gwinett Hospital, Incinerator Permit no. 8061-067-889-T.	Lawrenceville	391-3-1-.02(2)(c).	Apr. 25, 1974	do	Jan. 1, 1975.
Cargill Inc., Soybean Truck and Railroad Unloading Permit no. 2075-069-960-T.	Gainesville	391-3-1-.02(2)(N).	do	do	Mar. 1, 1975.
Casey Bros., Cotton Gin Permit no. 0724-057-760-T.	Cave Springs	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Clarkes Block Co., Concrete Block Facility Permit no. 3271-025-1250-T.	Savannah	391-3-1-.02(2)(N).	July 29, 1974	do	Sept. 15, 1974.
Cobb Memorial Hospital, Incinerator Permit no. 8061-059-1170-T.	Royston	391-3-1-.02(2)(c).	Apr. 25, 1974	do	Aug. 15, 1974.
Coleman Gin, Cotton Gin Permit no. 0724-053-955-T.	Swainsboro	391-3-1-.02(2)(q).	do	do	Do.
Coley's Gin and Fertilizer Co., Cotton Gin Permit no. 0724-046-832-T.	Vienna	391-3-1-.02(2)(q).	do	do	Do.
Columbian Peanut Co., Conical Burner Permit no. 5159-120-1485-T.	Shellman	391-3-1-.02(2)(1).	July 29, 1974	do	Aug. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Columbian Peanut Co., Conical Burner Permit no. 5159-101-1484-T.	Pelham	391-3-1-.02(2)(1).	do	do	Do.
Columbian Peanut Co., Peanut Shelling and Cleaning Permit no. 5159-30-1482-T.	Fort Gaines	391-3-1-.02(2)(1).	do	do	Do.
Comer Gin Co. (Madison County Gin), Cotton Gin Permit no. 0724-095-1542-T.	Danielsville	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Connor Bros. Lumber Co., Conical Burner Permit no. 2421-137-1509-T.	Tifton	391-3-1-.02(2)(1).	do	do	Dec. 15, 1974.
Container Corp. of America, Conical Burner Permit no. 2421-134-1506-T.	McRae	391-3-1-.02(2)(1).	do	do	Dec. 31, 1974.
Control Packaging Corp., Fuller's Earth Processing Facility Permit no. 3295-136-1188-T.	Ochlocknee	391-3-1-.02(2)(N)(p).	do	do	June 15, 1974.
Desoto Gin & Peanut Co., Cotton Gin Permit no. 0724-129-769-T.	DeSoto	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Sept. 1, 1974.
Diamond Shamrock Chemical Co., NOPCO Division:					
Hydrated Silicon Dioxide Drying Permit no. 2841-115-1453-T.	Cedartown	391-3-1-.02(2)(e).	July 29, 1974	do	Dec. 1, 1974.
Sulfonated Naphthalene Spray Drying Permit no. 2841-115-1451-T.	do	391-3-1-.02(2)(e).	do	do	May 1, 1975.
Sodium or Potassium Stearate Soap Manufacturing Permit no. 2841-115-1450-T.	do	391-3-1-.02(2)(e).	do	do	Feb. 1, 1975.
Metallic Soap Drying Permit no. 2841-115-1449-T.	do	391-3-1-.02(2)(e).	do	do	July 1, 1975.
Dooly Medical Center, Incinerator Permit no. 8061-046-1286-T.	Vienna	391-3-1-.02(2)(c).	do	do	Nov. 1, 1974.
Dunn's Cotton Gin, Cotton Gin Permit no. 0724-120-846-T.	Shellman	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Aug. 15, 1974.
Farmers Gin Co., Cotton Gin Permit no. 0724-019-1534-T.	Edison	391-3-1-.02(2)(q).	July 29, 1974	do	Do.
Farmers Gin Co., Cotton Gin Permit no. 0724-066-803-T.	Smithville	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Sept. 1, 1974.
Farmers Gin & Storage Co., Inc., Cotton Gin Permit no. 0724-081-1192-T.	Wadley	391-3-1-.02(2)(q).	July 29, 1974	do	Aug. 15, 1974.
Farmers Mill & Elevator Co., Inc., Cotton Gin Permit no. 0724-087-1266-T.	Dexter	391-3-1-.02(2)(q).	do	do	Do.
Funston Gin Co., Inc., Cotton Gin Permit no. 0724-035-1196-T.	Funston	391-3-1-.02(2)(q).	do	do	Do.
Sam Finley, Inc., Hot Mix Asphalt Plant Permit no. 2951-025-1047-T.	Savannah	391-3-1-.02(2)(k).	Apr. 25, 1974	do	Do.
Fitzgerald Oil & Fertilizer Co., Cotton Gin Permit no. 0724-009-1160-T.	Fitzgerald	391-3-1-.02(2)(q).	July 29, 1974	do	Do.
Georgia Pacific Corp., Plaster and Gypsum Wallboard Plant Permit no. 3275-063-1426-T.	Brunswick	391-3-1-.02(2)(e).	do	do	May 1, 1975.
Glennville Wood Preserving Co., Inc., Wood-fired Boiler Permit no. 2491-132-1104-T.	Glennville	391-3-1-.02(2)(d).	do	do	Aug. 15, 1974.
Griffin-Spalding County Hospital, Incinerator Permit no. 8061-126-1010-T.	Griffin	391-3-1-.02(2)(c).	do	do	July 15, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Cecil Hodges Lumber Co., Conical Burner Permit no. 2421-150-1498-T.	Sandersville	391-3-1-.02(2)(l).	do	do	Dec. 31, 1974.
John L. Lutchenson Memorial Tri County Hospital, Incinerator Permit no. 8061-023-990-T.	Fort Oglethorpe	391-3-1-.02(2)(c).	Apr. 25, 1974	do	July 1, 1975.
MC Corp., Granular Fertilizer Manufacturing Plant Permit no. 2871-121-1347-T.	Augusta	391-3-1-.02(2)(N).	July 29, 1974	do	Dec. 31, 1974.
MC Corp., Superphosphate and Granular Fertilizer Manufacturing Plant Permit no. 2871-129-1337-T.	Americus	391-3-1-.02(2)(N).	do	do	Do.
Horace Jackson Lumber Co., Inc., Conical Burner Permit no. 2421-150-1497-T.	Sandersville	391-3-1-.02(2)(l).	do	do	Do.
Jenkins County Gin Co., Inc., Cotton Gin Permit no. 0724-082-898-T.	Millen	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Aug. 15, 1974.
Johnson Concrete Co., Ready-Mix Concrete Plant Permit no. 3273-126-706-T.	Griffin	391-3-1-.02(2)(N).	do	do	Jan. 4, 1974.
Keadle Bros. Lumber Co., Conical Burner Permit no. 2421-101-1494-T.	Camilla	391-3-1-.02(2)(l).	July 29, 1974	do	Dec. 31, 1974.
Kennestone Hospital, Incinerator Permit no. 8061-033-1179-T.	Marietta	391-3-1-.02(2)(c).	do	do	July 15, 1974.
Knight Bros. Lumber Co., Inc., Conical Burner Permit no. 2421-143-1514-T.	Jeffersonville	391-3-1-.02(2)(l).	do	do	Dec. 31, 1974.
Lamb Bros. Lumber Co., Inc., Conical Burner Permit no. 2421-81-1492-T.	Wrens	391-3-1-.02(2)(l).	do	do	Do.
Leslie Peanut & Gin Co., Inc., Cotton Gin Permit no. 0724-129-1232-T.	Leslie	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Leonard N. Lokey Manufacturing Co., Conical Burner Permit no. 2499-097-688-T.	Thomson	391-3-1-.02(2)(l).	Apr. 25, 1974	do	Apr. 12, 1974.
Louisville Fertilizer & Gin Co., Cotton Gin Permit no. 0724-081-814-T.	Louisville	391-3-1-.02(2)(q).	do	do	Sept. 1, 1974.
McAvoy Wood Products Co., Inc., Conical Burner Permit no. 2511-157-1501-T.	Washington	391-3-1-.02(2)(l).	July 29, 1974	do	Dec. 31, 1974.
McCay Gin & Warehouse, Cotton Gin Permit no. 0724-040-777-T.	Cordele	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Sept. 1, 1974.
McGarity & Welch Gin Co., Cotton Gin Permit no. 0724-075-758-T.	McDonough	391-3-1-.02(2)(q).	do	do	Oct. 1, 1974.
Macon County Gin Co., Inc., Cotton Gin Permit no. 0724-048-1042-T.	Byromville	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Macon County Gin Co., Inc., Cotton Gin Permit no. 0724-084-841-T.	Montezuma	391-3-1-.02(2)(q).	do	do	Do.
Cliff Martin Gin Co., Inc., Cotton Gin Permit no. 0724-081-1275-T.	Wrens	391-3-1-.02(2)(q).	July 29, 1974	do	Do.
Meadows & Thomas, Inc., Cotton Gin Permit no. 0724-138-1243-T.	Lyons	391-3-1-.02(2)(q).	do	do	Do.
Millen Fertilizer Co., (Millen Gin), Cotton Gin Permit no. 0724-082-1194-T.	Millen	391-3-1-.02(2)(q).	do	do	Do.
Mobley Lumber Co., Inc. Conical Burner Permit no. 2421-124-1493-T.	Sylvania	391-3-1-.02(2)(l).	do	do	Dec. 31, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Monroe County Hospital, Incinerator Permit no. 8061-102-1165-T.	Forsyth	391-3-1-.02(2)(c).	......do	......do	June 21, 1975.
Hubert Moore Lumber Co., Open Burning Permit no. 2421-010-1001-T.	Alapaha	391-3-1-.02(5)(a).	Apr. 25, 1974	......do	Jan. 1, 1975.
Pelham Phosphate Co.:					
Ammonium Thiosulfate Plant Permit no. 2871-101-1401-T.	Pelham	391-3-1-.02(2)(N) (R).	July 29, 1974	......do	June 15, 1974.
Superphosphate Plant Permit no. 2871-101-1400-T	......do	391-3-1-.02(2)(N)(R).	......do	......do	Do.
Granular Fertilizer Plant Permit no. 2871-101-1399-T.	......do	391-3-1-02(2)(N) (R).	......do	......do	June 15, 1975.
Plains Cotton Warehouse, Peanut Shelling and Cleaning Permit no. 5159-129-1487-T.	Plains	391-3-1-.02(2)(N).	......do	......do	Aug. 1, 1974.
Planters Product Co., Conical Burner Permit no. 5159-125-1490-T.	Donalsonville	391-3-1-.02(2)(l).	......do	......do	Do.
Producers Gin Co., Cotton Gin Permit no. 0724-046-1183-T.	Pinehurst	391-3-1-.02(2)(q).	......do	......do	Aug. 15, 1974.
Producers Gin Service, Cotton Gin Permit no. 0724-150-1181-T.	Harrison	391-3-1-.02(2)(q).	......do	......do	Do.
Pulliam Lumber Co., Conical Burner Permit no. 2421-62-1508-T.	Mitchell	391-3-1-.02(2)(1).	......do	......do	Dec. 31, 1974.
Riddle & Slack Lumber Co., Conical Burner Permit no. 2421-137-1517-T.	Tifton	391-3-1-.02(2)(1).	......do	......do	Do.
J. M. Rowland Gin, Cotton Gin Permit no. 0724-017-837-T.	Midville	391-3-1-.02(2)(q).	Apr. 25, 1974	......do	Aug. 15, 1974.
St. Joseph Hospital, Incinerator Permit no. 8061-121-1408-T.	Augusta	391-3-1-.02(2)(c).	July 29, 1974	......do	Oct. 20, 1974.
Sasser Gin Co., Cotton Gin Permit no. 0724-135-922-T.	Sasser	391-3-1-.02(2)(q).	Apr. 25, 1974	......do	Aug. 15, 1974.
Shingler Farm Service, Inc., Cotton Gin Permit no. 0724-159-1281-T.	Poulan	391-3-1-.02(2)(q).	July 29, 1974	......do	Do.
H. E. Sims Lumber Co., Inc., Conical Burner Permit no. 2421-141-1511-T.	LaGrange	391-3-1-.02(2)(1).	......do	......do	Dec. 31, 1974.
C. R. Simmons Warehouse, Cotton Gin Permit no. 0724-133-1175-T.	Reynolds	391-3-1-.02(2)(q).	......do	......do	Aug. 15, 1974.
The Singer Co., Peanut Shelling and Cleaning Permit no. 5159-128-1486-T.	Lumpkin	391-3-1-.02(2)(N).	......do	......do	Aug. 1, 1974.
Smith Gin Co., Cotton Gin Permit no. 0724-008-1029-T.	Adairsville	391-3-1-.02(2)(q).	Apr. 25, 1974	......do	Aug. 15, 1974.
Smith Setzer & Sons of Georgia, Inc., Cement Storage Silos and Concrete Mixer Equipment Permit no. 3272-108-909-T.	Watkinsville	391-3-1-.02(2)(N).	......do	......do	Apr. 1, 1974.
Murph Gin & Warehouse, Cotton Gin Permit no. 0724-094-1533-T.	Marshallville	391-3-1-.02(2)(q).	July 29, 1974	......do	Aug. 15, 1974.
Musella Gin & Cotton Co., Cotton Gin Permit no. 0724-039-1201-T.	Musella	391-3-1-.02(2)(q).	......do	......do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Myers Hardwood Co., Conical Burner Permit no. 2448-134-1507-T.	Lumber City	391-3-1-.02(2)(1).	do	do	Dec. 31, 1974.
National Gypsum Co., Plaster and Gypsum Wallboard Plant Permit no. 3275-025-1315-T.	Garden City	391-3-1-.02(2)(e).	do	do	July 1, 1975
National Homes Manufacturing Co., Conical Burner Permit no. 2451-97-1502-T.	Thomson	391-3-1-.02(2)(1).	do	do	Dec. 31, 1974.
Roy V. Noble Co., Cotton Gin Permit no. 0724-046-822-T.	Pinehurst	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Aug. 15, 1974.
Roy V. Noble Co., Cotton Gin Permit no. 0724-046-821-T.	Vienna	391-3-1-.02(2)(q).	do	do	Do.
Nu-Knox, Inc., Conical Burner Permit no. 2421-97-1500-T.	Thomson	391-3-1-.02(2)(1).	July 29, 1974	do	Dec. 31, 1974.
Peach County Hospital, Incinerator Permit no. 8061-111-1167-T.	Fort Valley	391-3-1-.02(2)(c).	do	do	July 1, 1974.
Southeastern Brick Co., Brick Production Permit no. 3271-148-1338-T.	Waycross	391-3-1-.02(2)(N).	do	do	Sept. 30, 1974.
Southern States Phosphate & Fertilizer, Granular Fertilizer Manufacturing Plant and Normal Superphosphate Manufacturing Plant Permit no. 2871-025-1445-T.	Savannah	391-3-1-.02(2)(N).	do	do	Dec. 31, 1974.
Stapleton Gin Co., Cotton Gin Permit No. 0724-061-762-T.	Stapleton	391-3-1-.02(2)(q).	Apr. 25, 1974	do	Aug. 15, 1974.
Sumner Construction Corp., Hot Mix Asphalt Plant Permit no. 2951-137-1041-T.	Tifton	391-3-1-.02(2)(k).	do	do	Do.
Swift Fertilizer, Granular Fertilizer Plant Permit no. 2871-047-1330-T.	Albany	391-3-1-.02(2)(N).	July 29, 1974	do	Dec. 31, 1974.
Swift Chemical Co., Savannah Superphosphate and Granular Fertilizer Manufacturing Plant Permit no. 2871-025-1332-T.	Savannah	391-3-1-.02(2)(N).	do	do	Do.
Temple Gin Co., Cotton Gin Permit no. 0724-073-1185-T.	Hartwell	391-3-1-.02(2)(c).	do	do	Aug. 15, 1974.
Tom's Foods, Ltd., Boiler Permit no. 2065-106-1346-T.	Columbus	391-3-1-.02(2)(d).	do	do	June 30, 1975.
J. A. Thomas Gin, Cotton Gin Permit no. 0724-108-1182-T.	Farmington	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Town Creek Feed Mill, Feed Mill Permit no. 2048-028-1479-T.	Canton	391-3-1-.02(2)(N).	do	do	Jan. 31, 1975.
Tom's Foods, Ltd., Bulk Sugar Railroad Car Unloading Permit no. 2065-106-1345-T.	Columbus	391-3-1-.02(2)(N).	do	do	Dec. 1, 1974.
H. V. & T. G. Thompson Lumber Co., Inc., Conical Burner Permit no. 2421-103-1495-T.	Alley	391-3-1-.02(2)(1).	do	do	Dec. 31, 1974.
Trapnell Gin Co., Cotton Gin Permit no. 0724-021-1162-T.	Metter	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
Tugalo Construction Co., Inc., Hot Mix Asphalt Plant Permit no. 2951-127-1012-T.	Toccoa	391-3-1-.02(2)(k).	Apr. 25, 1974	do	Do.
Turner County Hospital, Incinerator Permit no. 8061-142-873-T.	Ashburn	391-3-1-.02(2)(c).	do	do	Jan. 1, 1975.
Twiggs Gin Co., Inc., Cotton Gin Permit no. 0724-143-874-T.	Jeffersonville	391-3-1-.02(2)(q).	do	do	Aug. 15, 1974.
USS Agri-Chemicals, Division of U.S. Steel Corp., Granular and Superphosphate Fertilizer Manufacturing Plant Permit no. 2871-106-1317-T.	Columbus	391-3-1-.02(2)(N).	July 29, 1974	do	Dec. 31, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance dat
N. A. West Block Co., Inc., Cement Silo and Boiler Permit no. 3271-061-876-T.	East Ellijay	391-3-1-.02(2)(N).	Apr. 25, 1974	do	June 30, 1974.
Pearson Mills, Conical Burner Permit no. 2421-111-907-T.	Fort Valley	391-3-1-.02(2)(1).	do	do	Apr. 30, 1974.
American Coach Co., conical burner, Permit no. 2451-005-1595-T.	Milledgeville, Baldwin County.	391-3-1-.02(2)(L).	Oct. 29, 1974	do	Dec. 31, 1974.
American Cyanamid Co., kaolin clay processing facilities, Permit no. 3295-094-1669-T.	Anderson, Sumter County.	391-3-1-.02(2)(N).	do	do	Nov. 30, 1974.
American Industrial Clay Co., kaolin clay processing facilities, Permit no. 3295-150-1231-T.	Sandersville, Washington County.	391-3-1-.02(2)(N), 391-3-1-.02(2)(P).	do	do	Dec. 31, 1974.
Associated Rubber Co., facility for the reclaiming of rubber, Permit no. 3069-071-1259-T.	Tallapoosa, Haralson County.	391-3-1-.02(2)(A).	do	do	July 1, 1975.
Augusta Building Supply, ready mix concrete facility, Permit no. 3273-121-1433-T.	Augusta, Richmond County.	391-3-1-.02(2)(N).	do	do	Do.
Babcock and Wilcox Co., kaolin clay processing facility, Permit no. 3295-121-1719-T.	Hephzibah, Richmond County.	391-3-1-.02(2)(N).	do	do	Jan. 1, 1975.
Bainbridge Tie & Lumber Co., lumber company—open burning of waste, Permit no. 2421-043-1800-T.	Fowlstown, Decature County.	391-3-1-.02(2)(A).	do	do	Dec. 31, 1974.
Balfour Lumber Co., conical burner only, Permit no. 2421-136-1696-T.	Thomasville, Thomas County.	391-3-1-.02(2)(L).	do	do	Do.
Bostwick Gin, cotton gin, Permit no. 0724-104-1474-T.	Bostwick, Morgan County.	391-3-1-.02(2)(Q).	do	do	Aug. 15, 1974.
Burgess Pigment Co., kaolin clay processing facilities, Permit no. 3295-150-1661-T.	Sandersville, Washington County.	391-3-1-.02(2)(N), 391-3-1-.02(2)(P).	do	do	Aug. 1, 1974.
C. & S. Block, Inc., concrete block facility, Permit no. 3271-155-1722-T.	Dalton, Whitfield County.	391-3-1-.02(2)(N).	do	do	July 1, 1975.
Cohutta Talc Co., Inc., talc processing facility, Permit no. 3295-105-1682-T.	Chatsworth, Murray County.	391-3-1-.02(2)(N).	do	do	Aug. 31, 1974.
Collins Ready Mix Concrete, Inc., ready mix concrete facility, Permit no. 3273-018-1345-T.	Jackson, Butts County.	391-3-1-.02(2)(N).	do	do	Sept. 30, 1974.
Columbia Nitrogen Corp., granular fertilizer manufacturing plant, Permit no. 2871-011-1341-T.	Macon, Bibb County.	391-3-1-.02(2)(R), 391-3-1-.02(2)(N).	do	do	Dec. 31, 1974.
Columbia Nitrogen Corp., sulfuric acid plant, Permit no. 2871-035-1360-T.	Moultrie, Colquitt County.	391-3-1-.02(2)(N).	do	do	Do.
Coastal Timber Lands, Inc., conical burner, Permit no. 2421-084-1598-T.	Gray-Jones County.	391-3-1-.02(2)(L).	do	do	Do.
Dave T. Brown Lumber Co., lumber wastes, open burning, Permit no. 2421-041-1761-T.	Trenton, Dade County.	391-3-1-.02(2)(A).	do	do	Do.
E. C. Carter Gin Co., cotton gin, Permit no. 0724-016-1587-T.	Portal, Bulloch County.	391-3-1-.02(2)(Q).	do	do	Aug. 15, 1974.
J. U. Barber Lumber Co., Inc., conical burner, Permit no. 2421-099-1587-T.	Luthersville, Meriwether County.	391-3-1-.02(2)(L).	do	do	Dec. 31, 1974.
V. Albert Brown Lumber Co., conical burner, Permit no. 2421-150-1610-T.	Warthen, Washington County.	391-3-1-.02(2)(L).	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
W. C. Bradley Co., cotton gin, Permit no. 0724-128-1583-T.	Omaha Stewart County.	391-3-1-.02(2)(Q) (N).	......do......	......do......	Aug. 15, 1974.
Mix concrete facility Permit no. 3271-092-1708-T.	Lowneds County..				
Concrete Industries, Inc., concrete products facility, Permit no. 3271-047-1709-T.	Albany, Dougherty County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
Cornell-Young Co., ready mix concrete facility, Permit no. 3273-011-1602-T.	Macon, Bibb County.	391-3-1-.02(2)(N).	......do......	......do......	Aug. 30, 1974.
Cornell-Young Co., ready mix concrete facility, Permit no. 3273-011-1601-T.	......do......	391-3-1-.02(2)(N).	......do......	......do......	May 15, 1975.
Damascus Lumber Co., lumber company—open burning of wastes, Permit no. 2421-048-1769-T.	Damascus, Early County.	391-3-1-.02(2)(A).	......do......	......do......	Dec. 31, 1974.
Davis Lumber Co., lumber company—open burning of wastes, Permit no. 2421-047-1744-T.	Albany, Dougherty County.	391-3-1-.02(2)(A).	......do......	......do......	Do.
Day Co's., conical burner only, Permit no. 2421-120-1697-T.	Cuthbert, Randolf County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 15, 1974.
Del-Cook Lumber Co., conical burner No. 1, conical burner No. 2, Permit no. 2421-037-1736-T.	Adel, Cook County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Eagle-Picher Industries; zinc and manganous oxide line, Permit no. 2875-115-1707-T.	Cedartown, Polk County.	391-3-1-.02(2)(E).	......do......	......do......	Feb. 15, 1975.
Espy Materials, Inc., ready mix concrete facility, Permit no. 3273-025-1505-T.	Savannah, Chatham County.	391-3-1-.02(2)(Q).	......do......	......do......	Jan. 31, 1975.
Feed Seed and Farm Supplies, Inc., feed mill, Permit no. 2048-124-1549-T.	Sylvania, Screven County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
Freeman Lumber Co., conical burner, Permit no. 2448-158-1594-T.	Toomsboro, Wilkinson County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Freeport Kaolin Co., kaolin clay processing facilities, Permit no. 3295-158-1672-T.	Gordon, Wilkinson County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
General American Transportation Corp., sandblasting of railroad cars, disposal of paint residue and spray painting of railroad cars, Permit no. 3743-148-1622-T.	Waycross, Ware County.	391-3-1-.02(2)(N).	......do......	......do......	Dec. 15, 1974.
General Refractories Co., kaolin clay processing facilities, Permit no. 3295-005-1635-T.	Stevens Pottery, Baldwin County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do......	......do......	Feb. 28, 1975.
Georgia Crate and Basket, conical burner only, Permit no. 2449-136-1702-T.	Thomasville, Thomas County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Georgia Kaolin Co., kaolin clay processing facilities, Permit no. 3295-143-1244-T.	Dry Branch, Bibb County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do......	......do......	Dec. 1, 1974.
Georgia Kaolin Co., kaolin clay bulk terminal facilities, Permit no. 3295-025-1717-T.	Savannah, Chatham County.	391-3-1-.02(2)(N).	......do......	......do......	July 31, 1975.
Georgia Marble Co., calcium carbonate, Permit no. 3281-061-1698-T.	Whitestone, Pickens County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
Georgia Talc Co., Inc., aluminum hydrate processing facility, Permit no. 3295-105-1711-T.	Chatsworth, Murray County.	391-3-1-.02(2)(N).	......do......	......do......	Sept. 30, 1974.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Georgia Tennessee Mining & Chemical Co., fullers earth clay processing plant No. 8 facilities, Permit no. 3295-081-1267-T.	Wrens, Jefferson County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do......	......do......	Sept. 1, 1974.
Gold Kist Fertilizer, superphosphate and granular fertilizer manufacturing plant, Permit no. 2871-040-1328-T.	Cordele, Crisp County.	391-3-1-.02(2)(F), 391-3-1-.02(2)(N).	......do......	......do......	Dec. 31, 1974.
Griffin Gin & Supply Co., Inc.; cotton gin, Permit no. 0724-130-1581-T.	Meigs, Thomas County.	391-3-1-.02(2)(Q).	......do......	......do......	Aug. 15, 1974.
Hallman Wood Products, Inc., conical burner, Permit no. 2411-117-1607-T.	Eatonton, Putnam County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Hardwoods of Georgia Inc., lumber company—open burning of wastes, Permit no. 2421-038-1790-T.	Raymond, Coweta County.	391-3-1-.02(2)(A).	......do......	......do......	Do.
Harris Cement Products, Inc., concrete products facility, Permit no. 3272-008-1793-T.	Cartersville, Bartow County.	391-3-1-.02(2)(N).	......do......	......do......	Sept. 30, 1974.
Harris Lumber Co., conical burner, Permit no. 2421-028-1586-T.	Ballground, Cherokee County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Harrison Lumber Co., conical burner, Permit no. 2421-147-1585-T.	Monroe, Walton County.	391-3-1-.02(2)(L).	......do......	......do......	Do.
Hatcher Feed Mills, Inc.; feed mill, Permit no. 2048-102-1457-T.	Forsyth, Monroe County.	391-3-1-.02(2)(N).	......do......	......do......	Jan. 31, 1975.
Heart of Georgia Peanut & Gin Co., cotton gin, Permit no. 0724-116-1587-T.	Hawkinsville, Pulaski County.	391-3-1-.02(2)(Q).	......do......	......do......	Aug. 15, 1974.
Hogan-Scarboro Corp., conical burner, Permit no. 2434-87-1589-T.	Dudley, Laurens County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Homerville Pole Co., conical burner, Permit no. 2411-32-1559-T.	Homerville, Clinch County.	391-3-1-.02(2)(L).	......do......	......do......	Do.
Hopeful Peanut and Milling Co., feed mill, Permit no. 2048-125-1551-T.	Camilla, Mitchell County	391-3-1-.02(2)(N).	......do......	......do......	Jan. 31, 1975.
J. M. Huber Corp., kaolin clay processing facilities, Permit no. 3295-081-1657-T.	Wrens, Jefferson County.	391-3-1-.02(2)(N).	......do......	......do......	June 1, 1975.
Irvin Lumber Co., lumber company—open burning of wastes, Permit no. 2421-154-1745-T.	Cleveland, White County.	391-3-1-.02(2)(A).	......do......	......do......	Dec. 31, 1974.
Jackson Ready Mix Concrete, Inc., ready mix concrete facility, Permit no. 3273-078-1627-T.	Commerce, Jackson County.	391-3-1-.02(2)(N).	......do......	......do......	May 15, 1975.
Jones Concrete Co., ready mix concrete facility, Permit no. 3273-137-1626-T.	Tifton, Tift County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
M. C. Jones Lumber Co., Inc., conical burner only, Permit no. 2421-134-1701-T.	Milan, Telfair County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Howard Q. Kennedy Co., feed mill, Permit no. 2048-135-1537-T.	Parrott, Terrell County.	391-3-1-.02(2)(N).	......do......	......do......	Jan. 31, 1975.
Frank G. Lake Sawmill, conical burner, Permit no. 2421-079-1616-T.	Monticello, Jasper County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Thiele Kaolin Co., kaolin clay processing facilities, Permit no. 3295-062-1654-T.	Stapleton, Jefferson County.	391-3-1-.02(2)(N).	......do......	......do......	June 1, 1975.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
hiele Kaolin Co., kaolin clay processing facility, Permit no. 3295-150-1640-T.	Sandersville, Washington County.	391-3-1-.02(2)(P) 391-3-1-.02(2)(N).	do	do	Dec. 31, 1974.
homason Lumber Co., Inc., conical burner, Permit no. 2421-153-1609-T.	Dalton, Whitfield County.	391-3-1-.02(2)(L).	do	do	Do.
hor Mining Co., fullers earth processing facilities, Permit no. 3295-136-1716-T.	Ochlocknee, Thomas County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	do	do	Sept. 15, 1974.
reveal Inc., cuprous chloride, Permit no. 2819-033-1564-T.	Powder Springs, Cobb County.	391-3-1-.02(2)(A).	do	do	June 16, 1975.
ucker Concrete Co., Inc., ready mix concrete facility, Permit no. 3273-044-1752-T.	Tucker, Deklab County.	391-3-1-.02(2)(N).	do	do	June 15, 1975.
averly Mineral Products Co., fullers earth processing facilities, Permit no. 3295-136-1381-T.	Meigs, Thomas County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	do	do	Feb. 1, 1975.
rightsville Lumber Co., lumber company—open burning of wastes, Permit no. 2421-083-1743-T.	Wrightsville, Johnson County.	391-3-1-.02(2)(A).	do	do	Dec. 31, 1974.
oung Harris College, 4-90 horsepower coal fired boilers, Permit no. 8221-139-1481-T.	Young Harris, Towns County.	391-3-1-.02(2)(D).	do	do	June 1, 1975.
ilson & Sons, ready mix concrete facility, Permit no. 3273-033-1521-T.	Marietta, Cobb County.	391-3-1-.02(2)(N).	do	do	Apr. 30, 1975.
ongleaf Industries Inc., conical burner only, Permit no. 2421-126-1692-T.	Lumpkin, Stewart County.	391-3-1-.02(2)(L).	do	do	Dec. 31, 1974.
acon Prestressed Concrete Co., prestressed concrete facility, Permit no. 3272-011-1710-T.	Macon, Bibb County.	391-3-1-.02(2)(N).	do	do	May 30, 1975.
athis-Akins Concrete Block Co., concrete products facility, Permit no. 3272-011-1713-T.	do	391-3-1-.02(2)(N).	do	do	Do.
athis-Akins Concrete Block Co., ready mix concrete facilities, Permit no. 3273-076-1712-T.	Warner Robins, Houston County.	391-3-1-.02(2)(N).	do	do	Do.
ayo Products Co., anhydrous sodium metasilicate products, Permit no. 2819-033-1699-T.	Smyrna, Cobb County.	391-3-1-.02(2)(E), 391-3-1-.02(2)(N).	do	do	July 22, 1975.
eredith Pole and Timber Co., Inc., open burning of wastes, Permit no. 2411-009-1741-T.	Fitzgerald, Ben Hill County.	391-3-1-.02(2)(A).	do	do	Dec. 31, 1974.
V F Co.—Hartwell Division, tornado burner, Permit no. 3441-073-1778-T.	Hartwell, Hart County.	391-3-1-.02(2)(L).	do	do	Do.
ew Riverside Ochre Co., barite and ochre processing facility, Permit no. 2816-008-1705-T.	Cartersville, Bartow County.	391-3-1-.02(2)(N).	do	do	Feb. 28, 1975.
orman Park Gin Warehouse, cotton gin, Permit no. 0724-035-1573-T.	Norman Park, Colquitt County.	391-3-1-.02(2)(Q).	do	do	Aug. 15, 1974.
Dri Corp. of Georgia, fullers earth processing facilities, Permit no. 3295-136-1354-T.	Ochlocknee, Thomas County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	do	do	Aug. 1, 1974.
mega Farm Supply Inc., cotton gin, Permit no. 0724-137-1645-T.	Omega, Tift County.	391-3-1-.02(2)(Q).	do	do	Sept. 1, 1974.
tnam Lumber Co., conical burner, Permit no. 2421-117-1608-T.	Eatonton, Putnam County.	391-3-1-.02(2)(L).	do	do	Dec. 31, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Rockmart Gin Co., cotton gin, Permit no. 0724-115-1605-T.	Rockmart, Polk County.	391-3-1-.02(2)(Q).	......do	......do	Aug. 15, 1974.
Royster Co., superphosphate and granular fertilizer manufacturing plant, Permit no. 2371-029-1343-T.	Athens, Clarke County.	391-3-1-.02(2)(N).	......do	......do	Dec. 31, 1974.
Royster Co., granular fertilizer manufacturing plant, Permit no. 2871-011-1342-T.	Macon, Bibb County.	391-3-1-.02(2)(N).	......do	......do	Do.
Sardis Lumber Co., open burning of wastes, Permit no. 2421-017-1739-T.	Sardis, Burke County.	391-3-1-.02(2)(A).	......do	......do	Do.
R. D. Sharpe Lumber Co., open burning of wastes, Permit no. 2421-082-1738-T.	Millen, Jenkins County.	391-3-1-.02(2)(A).	......do	......do	Do.
Shirley Feed & Seed Service, feed mill, Permit no. 2048-078-1568-T.	Commerce, Jackson County.	391-3-1-.02(2)(N).	......do	......do	Jan. 31, 1975.
Southeast Schokbston Inc., concrete products facility, Permit no. 3272-059-1532-T.	Lavonia, Franklin County.	391-3-1-.02(2)(N).	......do	......do	Sept. 1, 1974.
Southern Crate and Veneer Co., conical burner only, Permit no. 2449-011-1703-T.	Macon, Bibb County.	391-3-1-.02(2)(L).	......do	......do	Dec. 31, 1974.
Southern Talc Co., talc, barite and aluminum hydrate processing facility, Permit no. 3295-105-1644-T.	Chatsworth, Murray County.	391-3-1-.02(2)(N).	......do	......do	Aug. 15, 1974.
Southwire Co., nickel sulfate plant, Permit no. 3357-022-1639-T.	Carrollton, Carroll County.	391-3-1-.02(2)(A).	......do	......do	Oct. 15, 1974.
Southern Wood Piedmont Co., conical burner only, Permit no. 2491-121-1715-T.	Augusta, Richmond County.	391-3-1-.02(2)(L).	......do	......do	Dec. 31, 1974.
Stowe-Woodward Co., open burning of solvents, Permit no. 3552-126-1620-T.	Griffin, Spalding County.	391-3-1-.02(2)(A).	......do	......do	Sept. 1, 1974.
Sullivan Lumber Co., conical burner only, Permit no. 2421-152-1685-T.	Preston, Webster County.	391-3-1-.02(2)(L).	......do	......do	Dec. 31, 1974.
Taylor Gin and Warehouse, cotton gin, Permit no. 0724-035-1543-T.	Doerun, Colquitt County.	391-3-1-.02(2)(Q).	......do	......do	Aug. 15, 1974.
Continental Can Co., Inc., conical burner, Permit no. 2421-557-1781-T.	Washington, Wilks County.	391-3-1-.02(2)(L).	......do	......do	Dec. 31, 1974.
Great Southern Paper Co., No. 2 lime kiln, Permit no. 2631-049-2218-T.	Cedar Springs, Early County.	391-3-1-.02(2)(E).	......do	......do	Nov. 1, 1974.
Greater Southern Paper Co., No. 1 dissolving tank with gas reinjection, No. 2 dissolving tank with mesh pad, Permit no. 2631-049-2216-T.	......do	393-3-1-.02(2)(E).	......do	......do	Jan. 1, 1975.
Greater Southern Paper Co., Nos. 1 and 2 recovery boiler and electrostatic precipitator, Permit no. 2631-049-2215-T.	......do	391-3-1-.02(2)(E).	......do	......do	Oct. 31, 1974.
Owens Illinois, Inc., Riley boiler, Permit no. 2631-092-1861-T.	Valdosta, Lowndes County.	391-3-1-.02(2)(D).	......do	......do	Jan. 1, 1975.
Owens Illinois, Inc., No. 1 C.E. boiler, No. 2 C.E. boiler, Permit no. 2631-092-1860-T.	......do	391-3-1-.02(2)(D).	......do	......do	Do.
Owens Illinois, Inc., Nos. 1, 2, and 3 lime kiln, Permit no. 2631-092-1859-T.	......do	391-3-1-.02(2)(E).	......do	......do	Nov. 30, 1974.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Owens Illinois, Inc., No. 3 dissolving tank, Permit no. 2631-092-1858-T.	......do	391-3-1-.02(2)(E).	......do	......do	Do.
Owens Illinois, Inc., No. 3 recovery, Permit no. 2631-092-1856-T.	......do	391-3-1-.02(2)(E).	......do	......do	Dec. 1, 1974.
Owens Illinois, Inc., facility for the surface treatment of glass products with $SnCl_4$, Permit no. 3221-060-1769-T.	Hapeville, Fulton County.	391-3-1-.02(2)(E).	......do	......do	Do.
Owens Illinois, Inc., glass furnace E, Permit no. 3221-060-1768-T.	......do	391-3-1-.02(2)(E).	......do	......do	Oct. 1, 1974.
Engelhard Minerals & Chemicals Corp., sulphuric acid byproducts plant, Permit no. 2819-043-2039-T.	Attapulgus, Decatur County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do	......do	May 1, 1975.
Engelhard Minerals & Chemicals Corp., fuller earth processing facilities, Permit no. 3295-043-1723-T.	......do	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do	......do	July 31, 1975.
Southern States Phosphate & Fertilizer, 2 contact sulfuric acid plants, Permit no. 2819-025-1446-T.	Savannah, Chatham County.	391-3-1-.02(2)(J).	......do	......do	Dec. 31, 1974.
Southern States Phosphate & Fertilizer, granular fertilizer manufacturing plant, normal superphosphate manufacturing plant, Permit no. 2871-025-1445-T.	......do	391-3-1-.02(2)(R).	......do	......do	Do.
Cities Service Co., sulfuric acid plant, aluminum manufacturing plant, Permit no. 2819-121-1443-T.	Augusta, Richmond County.	391-3-1-.02(2)(J).	......do	......do	Do.
Anderson Construction Co., ready mix concrete facility, Permit no. 3273-030-1504-T.	Fort Gaines, Clay County.	391-3-1-.02(2)(N).	......do	......do	July 1, 1975.
Augusta Foundry Inc., induction furnace, Permit no. 3321-121-1550-T.	Augusta, Richmond County.	391-3-1-.02(2)(Q).	......do	......do	Apr. 30, 1975.
Baxley Ready Mix, ready mix concrete facility, Permit no. 3273-100-1529-T.	Baxley, Appling County.	391-3-1-.02(2)(N).	......do	......do	July 1, 1975.
Brunswick Pulp and Paper Co., power boilers No. 1, 2, 3, and 4, Permit no. 2631-063-1882-T.	Brunswick, Glynn County.	391-3-1-.02(2)(D).	......do	......do	Apr. 1, 1975.
Brunswick Pulp and Paper Co., No. 4 lime kiln, Permit no. 2631-063-1880-T.	......do	391-3-1-.02(2)(E).	......do	......do	Jan. 1, 1975.
Cedartown Block and Concrete Co., ready mix concrete facility, Permit no. 3273-115-1971-T.	Cedartown, Glynn County.	391-3-1-.02(2)(N).	......do	......do	July 1, 1975.
Concrete Industries Inc., ready mix concrete, Permit no. 3273-137-1953 T.	Tifton, Tift County.	391-3-1-.02(2)(N).	......do	......do	Do.
Concrete Industries, Inc., ready mix concrete facility, Permit no. 3273-136-1519-T.	Thomasville, Thomas County.	391-3-1-.02(2)(N).	......do	......do	Do.
Cope Rendering Co., Inc., rendering plant with the exception of fuel burning equipment covered under seperate permits, Permit no. 2077-035-1874-T.	Moultrie, Colquitt County.	391-3-1-.02(2)(A).	......do	......do	Nov. 30, 1974.
Coastal Timberlands Inc., conical burner, Permit no. 2421-084-1898-T.	Gray, Jones County.	391-3-1-.02(2)(L).	......do	......do	Dec. 31, 1974.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Creasy Brothers, Paving Contractors, hot mix asphalt plant, Permit no. 2951-016-1796-T.	Statesboro, Bulloch, County.	391-3-1-.02(2)(K).	......do......	......do......	Oct. 1, 1974.
Cyprus Industrial Minerals Co., Nos. 96 and 97 kaolin clay processing facilities, Permit no. 3295-143-2029-T.	Jeffersonville, Twiggs County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do......	......do......	Jan. 1, 1975.
Cyprus Industrial Minerals Co., kaolin clay No. 53 processing facilities, Permit no. 3295-150-2031-T.	Sandersville, Washington County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do......	......do......	Dec. 15, 1974.
Dekalb General Hospital, Morse Boulger heavy duty destructor, Permit no. 8062-044-2036-T.	Decatur, Dekalb County.	391-3-1-.02(2)(C).	......do......	......do......	May 1, 1975.
Design Concrete, Inc., ready mix concrete facility, Permit no. 3273-057-1694-T.	Rome, Floyd County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
Engelhard Minerals & Chemicals Inc., catalyst processing facilities, Permit no. 2819-043-1991-T.	Attapulgus, Decatur County.	391-3-1-.02(2)(P).	......do......	......do......	July 31, 1975.
Engelhard Minerals and Chemicals Corp., kaolin clay processing facilities, Permit no. 3295-150-1981-T.	Oconee, Washington County.	391-3-1-.02(2)(P) (N).	......do......	......do......	Do.
Evans Concrete Products Co., Inc., ready mix concrete facility, Permit no. 3273-054-1528-T.	Claxton, Evans County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
Georgia Dimension Co., conical burner only, Permit no. 2426-053-1695-T.	Adrian, Johnson County.	391-3-1-.02(2)(L).	......do......	......do......	Dec. 31, 1974.
Georgia Kraft Co., recovery No. 1 and 2 with electrostatic precipitator, Permit no. 2631-011-1819-T.	Macon, Bibb County.	391-3-1-.02(2)(E).	......do......	......do......	Feb. 28, 1975.
Georgia Kraft Co., No. 4 smelt tank with demister pads, Permit no. 2631-057-1809-T.	Rome, Floyd County.	391-3-1-.02(2)(E).	......do......	......do......	May 1, 1975.
Georgia Kraft Co., No. 2 smelt tank with demister pads, Permit no. 2631-057-1807-T.	......do......	391-3-1-.02(2)(E).	......do......	......do......	Do.
Georgia Kraft Co., No. 1 smelt tank with demister pads, Permit no 2631-057-1806-T.	......do......	391-3-1-.02(2)(E).	......do......	......do......	Do.
Gold Kist Fertilizer, Clya, superphosphate and granular fertilizer manufacturing plant, Permit no. 2871-051-1845-T.	Clyo, Effingham County.	391-3-1-.02(2)(F).	......do......	......do......	Dec. 31, 1974.
Golden's Foundry & Machine Co., foundry, Permit no. 3321-106-1799-T.	Columbus, Muscogee County.	391-3-1-.02(2)(O).	......do......	......do......	Jan. 1, 1975.
Haralson Gin Co., cotton gin, Permit no. 0724-071-2041-T.	Haralson, Coweta County.	391-3-1-.02(2)(Q).	......do......	......do......	July 1, 1975.
ITT Rayonier Inc., no. 1, 2, 3 recovery, Permit no. 2631-151-1865-T.	Jesup, Wayne County.	391-3-1-.02(2)(E).	......do......	......do......	Jan. 1, 1975.
Jack Davis Concrete Inc., concrete products facility, Permit no. 3271-141-1872-T.	LaGrange, Troupe County.	391-3-1-.02(2)(N).	......do......	......do......	Sept. 30, 1974.
Ledbetter Bros., Inc., hot mix asphalt plant, Permit no. 2951-008-1976-T.	White, Bartow County.	391-3-1-.02(2)(K).	......do......	......do......	July 1, 1975.
Ledbetter Bros. Inc., hot mix asphalt plant, Permit no. 2951-057-1966-T.	Rome, Floyd County.	391-3-1-.02(2)(K).	......do......	......do......	Oct. 1, 1974.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Gin and Warehouse, cotton gin, Permit no. 0724-035-1895-T.	Moultrie, Colquitt County.	391-3-1-.02(2)(Q).	......do......	......do......	Sept. 30, 1974.
erty Concrete Products, ready mix concrete facility, Permit no. 3273-089-1523-T.	Midway, Liberty County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
ons Concrete Products, Inc., ready mix concrete facility, Permit no. 3273-138-1998-T.	Lyons, Toombs County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
& M. Super Markets, Inc., fire engineers model 1 660D-1 incinerator, Permit no. 5411-025-2012-T.	Savannah, Chatham County.	391-3-1-.02(2)(C).	......do......	......do......	Feb. 15, 1975.
& M. Super Markets, Inc., fire engineers incinerator, Permit no. 5411-025-2013-T.	......do......	391-3-1-.02(2)(C).	......do......	......do......	Do.
sonry Products, Inc., concrete block facility, Permit no. 3271-022-1696-T.	Carrollton, Carroll County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
cCaskey Mills, Inc., cotton gin, Permit no. 0724-129-1965-T.	Americus, Sumter County.	391-3-1-.02(2)(Q).	......do......	......do......	Jan. 5, 1975.
lite Co. of America, kaolin clay processing facility No. 1, Permit no. 3295-129-2027-T.	Andersonville, Sumter County.	391-3-1-.02(2)(N).	......do......	......do......	Jan. 1, 1975.
lite Co. of America, kaolin clay processing facility No. 2, Permit no. 3295-129-2028-T.	......do......	391-3-1-.02(2)(N).	......do......	......do......	Feb. 1, 1975.
scogee Lumber Co., conical burner, Permit no. 2421-106-1996-T.	Columbus, Muscogee County.	391-3-1-.02(2)(L).	......do......	......do......	Sept. 16, 1974.
rman W. Paschall Co., picking and blending operation, Permit no. 2294-056-1678-T.	Peachtree City, Fayette County.	391-3-1-.02(2)(N).	......do......	......do......	Jan. 31, 1975.
hilips Concrete Block Co., Inc., concrete block facility, Permit no. 3271-056-1945-T.	Fayetteville, Fayette County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
hilips Concrete Block Co., Inc., ready mix concrete facility, Permit no. 3273-056-1944-T.	......do......	391-3-1-.02(2)(N).	......do......	......do......	Do.
sebud Manufacturing Co., waste disposal incinerator, Permit no. 2341-138-1904-T.	Vidalia, Toombs County.	391-3-1-.02(2)(C).	......do......	......do......	Do.
ith-Sheppard Concrete Co., Inc., ready mix concrete facility, Permit no. 3273-150-1999-T.	Sandersville, Washington County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
uthern Pipe and Supply Co./ Vidalia Concrete Block Co., concrete pipe facility, Permit no. 3272-138-1997.	Vidalia, Toombs County.	391-3-1-.02(2)(N).	......do......	......do......	Do.
uthern Pipe and Supply Co./ Vidalia Concrete Block Co., ready mix concrete facility, Permit no. 3273-138-1996-T.	......do......	391-3-1-.02(2)(N).	......do......	......do......	Do.
ed Concrete, Inc., ready mix concrete facility, Permit no. 3273-009-2019-T.	Fitzgerald, Ben Hill County.	391-3-1-.02(2)(N).	......do......	......do......	Jan. 31, 1975.
ephens Gin and Bonded Warehouse, cotton gin, Permit no. 0724-140-2051-T.	Soperton, Treutlen County.	391-3-1-.02(2)(Q).	......do......	......do......	Jan. 28, 1975.
ainsboro Concrete Products Co., Inc., ready mix concrete facility, Permit no. 3273-053-1525-T.	Swainsboro, Emanuel County.	391-3-1-.02(2)(N).	......do......	......do......	July 1, 1975.
G. Dunn, cotton gin, Permit no. 0724-135-1475-T.	Parrott, Terrell County.	391-3-1-.02(2)(Q).	......do......	......do......	Aug. 15, 1974.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Whitley Concrete Co., ready mix concrete facility, Permit no. 3273-044-1968-T.	Decatur, DeKalb County.	391-3-1-.02(2)(N).	......do	......do	Dec. 15, 1974.
Cyprus Industrial Minerals Co., kaolin clay processing facilities No. 51 and No. 52, Permit no. 3295-150-2030-T.	Sandersville, Washington County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do	......do	Oct. 1, 1974.
Georgia Marble Co., marble, delomite and calcium carbonate processing operation, Permit no. 3281-061-1614-T.	Whitestone, Pickens County.	391-3-1-.02(2)(N).	......do	......do	July 1, 1975.
Georgia Tennessee Mining Chemical Co., fullers earth clay processing facilities, Permit no. 3295-081-1265-T.	Wrens, Jefferson County.	391-3-1-.02(2)(P), 391-3-1-.02(2)(N).	......do	......do	Sept. 1, 1974.
M. C. Jones Lumber Co., conical burner only, Permit no. 2421-134-1701-T.	Milan, Telfair County.	391-3-1-.02(2)(L).	......do	......do	Dec. 31, 1974.
Toccoa Foundry and Machine Co., Inc., electric arc furnace shotblast system with fabric filter, Permit no. 3325-127-1552-T.	Toccoa, Stephens County.	391-3-1-.02(2)(O).	......do	......do	June 30, 1975.
Andy's Super Market, gas on fuel oil fired boilers.	Calhoun	391-3-1-.02(2)(c).	Dec. 30, 1974	......do	June 15, 1975.
Anglo-American Clays Corp.:					
Kaolin clay processing facility	Sandersville	391-3-1-.02(2)(p) (n).	......do	......do	Do.
Crude clay hopper	......do	391-3-1-.02(2)(n).	......do	......do	Nov 15, 1974.
Coating clay bogging machine	......do	391-3-1-.02(2)(n).	......do	......do	Mar. 3, 1975.
Railroad track	......do	391-3-1-.02(2)(n).	......do	......do	Oct. 1, 1974.
Filler clay and air float plant	......do	391-3-1-.02(2)(p).	......do	......do	Aug. 15, 1974.
Loading facilities	......do	391-3-1-.02(2)(n).	......do	......do	June 15, 1975.
Atlanta Structural Concrete Co., concrete products facility.	Powder Springs	391-3-1-.02(2)(n).	......do	......do	July 1, 1975.
Augusta Building Supply, ready mix concrete facility.	Augusta	391-3-1-.02(2)(n).	......do	......do	Do.
Banks, Jackson, Commerce Hospital, incinerator.	Commerce	391-3-1-.02(2)(c).	......do	......do	May 15, 1975.
Berlin Gin Co., cotton gin	Berlin	391-3-1-.02(2)(q).	......do	......do	Mar. 28, 1975.
Brantly Tile & Pallet Co., conical burner.	Swainsboro	391-3-1-.02(2)(l).	......do	......do	Nov. 15, 1974.
C-E Minerals, kyanite mining and processing.	Lincolnton	391-3-1-.02(2)(e).	......do	......do	July 31, 1975.
C-E Minerals, kyanite processing.	Washington	391-3-1-.02(2)(e) (n)(a)	......do	......do	Do.
C. W. Matthews Contracting Co., hot mix asphalt.	Villa Rica	391-3-1-.02(2)(k).	......do	......do	July 15, 1975.
Camp Concrete Products, Co	Columbus	391-3-1-.02(2)(n).	......do	......do	July 1, 1975.
Chatsworth Ready Mix Co., ready mix concrete facility.	Chatsworth	391-3-1-.02(2)(n).	......do	......do	July 31, 1975.
Chattahoochee Brick Co., brick manufacturing.	Atlanta	391-3-1-.02(2)(e).	......do	......do	Feb. 1, 1975.
Chicopee Manufacturing Co., boiler No. 1 and 2.	Gainesville	391-3-1-.02(2)(d).	......do	......do	July 31, 1975.
Continental Can Co., Inc., recovery furnace No. 1 and 2.	Augusta	391-3-1-.02(2)(e).	......do	......do	July 1, 1975.
Crisp County Hospital, Morse Bouiger.	Cordele	391-3-1-.02(2)(c).	......do	......do	Mar. 1, 1975.
Donaldsonville Warehouse & Gin, cotton gin.	Donaldsonville	391-3-1-.02(2)(q).	......do	......do	Apr. 1, 1975.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
E. P. Edgy Planning Mill, conical burner.	Brunswick	391-3-1-.02(2)(l).	do	do	Apr. 31, 1975.
Edwards Lumber Co., conical burner.	Sparta	391-3-1-.02(2)(l).	do	do	Do.
Engelhard Minerals & Chemical Corp.:					
Kaolin clay processing	McIntyre	391-3-1-.02(2)(n).	do	do	May 31, 1975.
Bulk loading facilities	do	391-3-1-.02(2)(n).	do	do	Apr. 30, 1975.
Silos (pneumatically fed)	do	391-3-1-.02(2)(n).	do	do	Apr. 1, 1975.
Silos (mechanically fed)	do	391-3-1-.02(2)(n).	do	do	July 31, 1975.
Fairplay Gin, cotton gin	Fairplay	391-3-1-.02(2)(q).	do	do	Sept. 30, 1974.
Farmer's Gin Co., cotton gin	Dawson	391-3-1-.02(2)(q).	do	do	Nov. 1, 1974.
Farmer's Ginnery, cotton gin	Caldwell	391-3-1-.02(2)(q).	do	do	Do.
Federal Pacific Electric Co., incinerator.	Vidalia	391-3-1-.02(2)(c).	do	do	July 1, 1975.
Feldspar Corp., feldspar processing.	Monticello	391-3-1-.02(2)(e).	do	do	May 15, 1975.
Georgia Lightweight Aggregate Co., concrete aggregate.	Rockmart	391-3-1-.02(2)(e).	do	do	June 1, 1975.
Gifford-Hill & Co., Inc., prestressed concrete.	Conley	391-3-1-.02(2)(n).	do	do	July 1, 1975.
Gold Kist Rendering Plant, boilers.	Ball Ground	391-3-1-.02(2)(a).	do	do	Mar. 1, 1975.
Goodyear Tire & Rubber, boilers	Cartersville	391-3-1-.02(2)(d).	do	do	June 31, 1975.
Gage & Bridges Lumber Co., open burning.	Willacoochee	391-3-1-.02(2)(a).	do	do	Dec. 31, 1974.
Griffin Pipe Products Co., sewer pipe manufacturing.	Milledgeville	391-3-1-.02(2)(e).	do	do	July 31, 1975.
Hardy & Co., Inc., slaughter house.	Sylvester	391-3-1-.02(2)(a).	do	do	Dec. 31, 1974.
Howard Concrete Pipe, pipe manufacturing.	Atlanta	391-3-1-.02(2)(n).	do	do	Jan. 31, 1975.
Jerry Rice Sawmill, open burning	Mineral Bluff	391-3-1-.02(2)(a).	do	do	Mar. 16, 1975.
Jordon Carpet Yarns, boiler	Columbus	391-3-1-.02(2)(d).	do	do	July 31, 1975.
Kingston Gin Co., cotton gin	Kingston	391-3-1-.02(2)(q).	do	do	Mar. 1, 1975.
Macon Prestressed Concrete Co., prestressed concrete manufacturing.	Jonesboro	391-3-1-.02(2)(n).	do	do	Do.
Marquette Cement, Manufacturing Plant, portland cement facility except for clinker cooler.	Rockmart	391-3-1-.02(2)(e) (n).	do	do	July 31, 1975.
Mayo Chemical Co., production of sodium glucoheptanate.	Smyrna	391-3-1-.02(2)(a).	do	do	July 15, 1975.
Meblaco, Inc., pimiento plants	Woodbury	391-3-1-.02(2)(e).	do	do	Apr. 30, 1975.
Nipro, Inc., ammonium nitrite	Augusta	391-3-1-.02(2)(s).	do	do	July 31, 1975.
North Chemical Co., polymethylacrylate.	Marietta	391-3-1-.02(2)(a).	do	do	June 15, 1975.
Olin Corp., chlor-alkali	Augusta	391-3-1-.02(2)(a).	do	do	Dec. 1, 1974.
Owens-Illinois, Inc., Riley boiler	Valdosta	391-3-1-.02(2)(e).	do	do	July 1, 1975.
Oxford Construction Co., hot mix asphalt.	Albany	391-3-1-.02(2)(k).	do	do	July 31, 1975.
Paga Mining Co., barium sulfate processing.	Cartersville	391-3-1-.02(2)(e).	do	do	Feb. 1, 1975.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance
Pekor Iron Works, cupola	Columbus	391-3-1-.02(2)(c).	do	do	Mar. 1, 1975.
Planters Warehouse & Loan Co., cotton gin.	Fitzgerald	391-3-1-.02(2)(q).	do	do	Nov. 1, 1974.
Quikrete-Handi-Crete Co., packaged concrete mix.	Lithonia	391-3-1-.02(2)(n).	do	do	Dec. 31, 1974.
RDC, Inc., steam generating plant.	Rossville	391-3-1-.02(2)(d).	do	do	July 1, 1975.
Riegel Textile Corp., boiler units No. 1, 2, 3, and 4.	Trion	391-3-1-.02(2)(d).	do	do	July 31, 1975.
Rushton Cotton Mill, power boiler (coal-fired).	Griffin	391-3-1-.02(2)(d).	do	do	Do.
Shepherd Construction Co., hot mix asphalt.	Near Jesup	391-3-1-.02(2)(k).	do	do	May 30, 1975.
Shepherd Construction Co., asphalt plant.	Hwy 87 North of Macon.	391-3-1-.02(2)(k).	do	do	Apr. 30, 1975.
Shepherd Construction Co., asphalt plant.	Siloam	391-3-1-.02(2)(k).	do	do	July 31, 1975.
Thompson, Weiman & Co.:					
Mineral extenders and fillers processing.	Cartersville	391-3-1-.02(2)(n).	do	do	Do.
Rotary dryer	do	391-3-1-.02(2)(n).	do	do	Do.
Bin vent collectors	do	391-3-1-.02(2)(n).	do	do	Do.
Air classifier and Larite rotary dryer.	do	391-3-1-.02(2)(n).	do	do	July 1, 1975.
Bulk loading	do	391-3-1-.02(2)(n).	do	do	Do.
Calcium carbonate spray dryer	do	391-3-1-.02(2)(e).	do	do	Nov. 1, 1974.
Toney Bros., cotton gin	Doerun	391-3-1-.02(2)(q).	do	do	Mar. 1, 1975.
Universal-Rundel Corp	Monroe	391-3-1-.02(2)(e).	do	do	May 15, 1975.
Vinings Chemical Co., production of dithione, nabam, sodam, and methylene bisthiocyamte.	Marietta	391-3-1-.02(2)(a).	do	do	July 1, 1975.
W. F. Gay & Co., cotton gin	Gay	391-3-1-.02(2)(q).	do	do	Feb. 15, 1975.
Walker Enterprises, Inc., d.b.a. Walker's Ready Mix, concrete facility.	Jesup	391-3-1-.02(2)(n).	do	do	July 1, 1975.
Walker's Gin, Inc., cotton gin	Camilia	391-3-1-.02(2)(q).	do	do	Mar. 1, 1975.
West Point Foundry & Machine Co., cupola.	West Point	391-3-1-.02(2)(o).	do	do	Jan. 1, 1975.
West Point Pepperell, Inc.:					
No. 2 coal on gas fired boilers	La Grange	391-3-1-.02(2)(d).	do	do	July 31, 1975.
No. 4 boiler	Lindale	391-3-1-.02(2)(d).	do	do	Do.
West Point Pepperell, Inc., 2 B. & W. boilers.	Columbus	391-3-1-.02(2)(d).	do	do	Do.
West Point Pepperell, Inc., No. 1 and 2 boilers.	Newnan	391-3-1-.02(2)(d).	do	do	Do.
Woolfolk Chemical Works:					
Production of arsenic acid	Fort Valley	391-3-1-.02(2)(a).	do	do	July 15, 1975.
Production of lime sulfur	do	391-3-1-.02(2)(a).	do	do	Do.
Production of basic zinc sulfate.	do	391-3-1-.02(2)(a).	do	do	Do.
Production of granular pesticides.	do	391-3-1-.02(2)(a).	do	do	Do.

(b) The extended compliance sched- le for the General Motors Lakewood sembly Plant submitted on July 30, 82, is disapproved because the State s failed to show that the schedule ould not interfere with the attain- ent of the ozone standard in the At- nta nonattainment area.

0 FR 3413, Jan. 22, 1975, as amended at 40 R 18432, Apr. 28, 1975; 40 FR 42352, Sept. 2, 1975; 51 FR 3778, Jan. 30, 1986; 51 FR 675, 40676, Nov. 7, 1986]

2.577 Extensions.

(a) The Administrator hereby ex- nds for 18 months (until July 1, 80) the statutory timetable for sub- ission of Georgia's plans for attain- ent and maintenance of the second- y standards for particulate matter in e Atlanta and Savannah areas (40 CFR 81.311).

(b) The Administrator hereby ex- nds until December 31, 1987, the at- inment date for the 8-hour national mbient air quality standard for rbon monoxide in the Atlanta area 0 CFR 81.311).

5 FR 5701, Jan. 24, 1980]

2.578 [Reserved]

2.579 Economic feasibility considerations.

Section 88-906(h), (i), (k), (o) and (q) f the Georgia Code is disapproved, nce consideration of economic feasi- lity could, in some cases, conflict, ith the requirements of the Act that rimary standards be attained as expe- itiously as practicable, but in no case ter than July 1975.

9 FR 34536, Sept. 26, 1974]

2.580 Maintenance of national standards.

(a) The areas listed below are hereby entified by the Administrator pursu- nt to § 51.110 (h) and (i) of this chap- er as having the potential for viola- ion of the specified air quality stand- rds within 10 years. The identified eas consist of the territorial area en- mpassed by the boundaries of the iven jurisdictions or described area cluding the territorial area of all unicipalities (as defined in section 02(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Albany Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Dougherty County.

(2) Atlanta Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Clayton County, Cobb County, DeKalb County, Fulton County, Gwinnett County.

(3) Chattanooga Interstate Air Quality Maintenance Area (Georgia Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Catoosa County, Walker County.

(4) Savannah Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Chatham County.

[40 FR 41949, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.581 Significant deterioration of air quality.

(a) All applications and other information required pursuant to § 52.21 of this part from sources located in the State of Georgia shall be submitted to the Environmental Protection Division, Georgia Department of Natural Resources, 270 Washington Street, S.W., Atlanta, Georgia 30334, instead of the EPA Region IV office.

(b) A letter of commitment concerning the incorporation of EPA's revised modeling guidelines for PSD into the Georgia regulations was submitted to EPA on May 11, 1987, by the Georgia Department of Natural Resources.

[41 FR 24885, June 21, 1976, as amended at 47 FR 6018, Feb. 10, 1982; 52 FR 32918, Sept. 1, 1987]

§ 52.582 [Reserved]

§ 52.583 Additional rules and regulations.

Section 391-3-1-.02(2)(e), Particulate Emissions from Manufacturing Processes, is hereby approved only to the extent that it provides for the establishment, as permit conditions, of emission limits more stringent than those otherwise applicable under the currently approved Georgia regulations. Any application of this regulation which would result in permit provisions less stringent than those otherwise required by the State's regulations must be formally submitted to EPA for prior approval as a plan revision pursuant to section 110(a) of the Clean Air Act.

[41 FR 35185, Aug. 20, 1976]

Subpart M—Hawaii

§ 52.620 Identification of plan.

(a) Title of plan: "State of Hawaii Air Pollution Control Implementation Plan".

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification that the plan was adopted submitted on April 4, 1972, by the Department of Health.

(2) Telegram and letters (Non-regulatory) clarifying the plan submitted on May 8, 1972, by the Governor.

(3) Telegram (Non-regulatory) clarifying the particulate matter control strategy submitted on May 22, 1972, by the Governor.

(4) Letter (Non-regulatory) clarifying disapproval of the plan submitted on June 15, 1972, by the Governor.

(5) Revised regulations (in their entirety) for the State of Hawaii submitted on November 21, 1972, by the Governor.

(6) Regulations establishing a permi system for agricultural burning sub mitted on May 15, 1973, by the Gover nor.

(7) Compliance schedule submitte on July 27, 1973, by the Governor.

(8) 18-month extension plan for par ticulate matter submitted on August 15, 1973, by the Governor.

(9) Date for attainment of the na tional ambient air quality standard for particulate matter submitted o April 25, 1974, by the Governor.

(10) A variance to the Hawaii Publi Health Regulations, Chapter 43, Sec tion 7(b)(5) submitted on Septembe 12, 1978 by the Governor.

(11) A variance to the Hawaii Publi Health Regulations, Chapter 43, Sec tion 7(b)(5) submitted on February 2 1979 by the Governor.

(12) The following amendments t the plan were submitted on August 2 1980, by the Governor.

(i) XII. Air Quality Surveillance Net work.

(13) A variance to the Hawaii Publi Health Regulations, Chapter 43, se tion 8 (b)(1) submitted on Novemb 25, 1980 by the Governor.

(14) A variance of the Hawaii Publi Health Regulations, Chapter 43, se tion 8(b)(1) submitted on April 6, 198 by the Governor.

(15) Hawaii State Lead SIP Revisio submitted on October 29, 1982, by th State.

(16) The following amendments the plan were submitted on Decemb 20, 1982 by the State.

(i) Title 11—Department of Healt Chapter 60, Air Pollution Control.

(A) Amended sections 11-60-01 thr 11-60-29, 11-60-35 thru 11-60-38.

[37 FR 10861, May 31, 1972, as amended 41 FR 8959, Mar. 2, 1976; 44 FR 23828, A 23, 1979; 44 FR 46274, Aug. 7, 1979; 46 40513, Aug. 10, 1981; 47 FR 3111, Jan. 1982; 48 FR 37403, Aug. 18, 1983]

§ 52.621 Classification of regions.

The Hawaii plan was evaluated o the basis of the following classific tions:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
e of Hawaii	II	III	III	III	III

37 FR 10860, May 31, 1972]

52.622 Extensions.

(a) The Administrator hereby ex- ends for 18 months the statutory metable for submittal of the plan for tainment and maintenance of the econdary standards for particulate atter in the State of Hawaii region.

37 FR 10860, May 31, 1972]

52.623 Approval status.

With the exceptions set forth in this ubpart, the Administrator approves awaii's plan for attainment and aintenance of the national stand- rds. The State included various provi- ons in its plan to provide for the at- inment of State ambient air quality andards. As described in the Gover- or's letters of January 28, May 8, and ay 22, 1972, these provisions were in- luded for information purposes only nd were not to be considered a part f the plan to implement national andards. Accordingly, these addition- l provisions are not considered a part f the applicable plan.

37 FR 10861, May 31, 1972, as amended at FR 12712, May 14, 1973; 39 FR 7280, Feb. 5, 1974]

52.624 General requirements.

(a) The requirements of § 51.116(c) f this chapter are not met since the gal authority to provide for public ailability of emission data is inad- quate.

(b) *Regulation for public availabil- y of emission data.* (1) Any person ho cannot obtain emission data from e Agency responsible for making mission data available to the public, s specified in the applicable plan, oncerning emissions from any source ubject to emission limitations which re part of the approved plan may re- uest that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at

other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55329, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.625 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since sections 322-64(5) and 322-66 of the Hawaii Revised Statutes could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, sections 322-64(5) and 322-66 are disapproved.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.626 Compliance schedules.

(a) The compliance schedules for th sources identified below are approv as meeting the requirements of Su part N of this chapter. All regulatio cited are air pollution control regul tions of the State. Some schedules r quire compliance by specifying the i stallation of specific control devices by the construction of new equipme and the shutdown of existing equi ment. Approval of these schedules solely on the basis that compliance required by the specified "Final Co pliance Date", regardless of th method of control specified by t schedule.

Source	Location	Regulation sections involved	Date of adoption	Effective date	Final compliance
Grove Farm Co., Inc	Koloa	12	July 27, 1973	Immediately	June 30, 197
City and county of Honolulu	Kewalo	8, 11	do	do	July 31, 1975
County of Kauai	Lihue	7, 8	do	do	Do.
Do	Hanalei	7, 8	do	do	Do.
Do	Kekaha	7, 8	do	do	Do.
Do	Eleele	7, 8	do	do	Do.
Do	Koloa	7, 8	do	do	Do.
Do	Kapaa	7, 8	do	do	Do.
The Lihue Plantation Co., Ltd	Lihue	8, 12	do	do	Jan. 31, 197
Oahu Sugar Co., Ltd	Waipahu	8, 12	do	do	Dec. 31, 197
Pioneer Mill Co., Ltd	Lahaina	8, 12	do	do	June 30, 197
Hawaiian Bitumuls & Paving Co., Ltd.	Puhi	8, 13	do	do	Do.
Do	Kaena	8, 13	do	do	Dec. 31, 197
Hilo Coast Processing Co	Hakalau	8, 12	do	do	June 30, 197
Do	Wainaku	8, 12	do	do	Do.
McBryde Sugar Co., Ltd	Eleele	8, 12	do	do	July 31, 197
Laupahoehoe Sugar Co	Oakala	8, 12	do	do	July 1, 1974.
Honokaa Sugar Co	Haina	8, 12	do	do	May 31, 197
Hawaiian Commercial & Sugar Co.:					
Boilers 11 and 12	Puunene	8, 12	do	do	July 1, 1975.
Boilers 7, 8, 9, 10	do	8, 12	do	do	Do.
Boilers	Paia	8, 12	do	do	Do.
Kiln	do	8, 13	do	do	June 15, 197
Kaiser Cement & Gypsum Corp	Nanakuli	13	do	do	Mar. 31, 197
Nanakuli Paving & Rock Co., Ltd	Halawa	8, 13	do	do	Mar. 1, 1975.
Jas. W. Glover, Ltd	Hilo	13	do	do	Apr. 1, 1975.
City and County of Honolulu	Waipahu	8, 11	do	do	July 31, 1975
Do	Kapalama	8, 11	do	do	Do.
Hawaiian Cement Corp	Ewa Beach	8, 13	do	do	Feb. 28, 197

(b) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. The regulations cited are air pollution control regulations of the State.

Source	Location	Regulation sections involved	Date of adoption
Nanakuli Paving & Rock Co., Ltd.	Molokai	8, 13	7/27/73.
Kohala Corp	Halaula	8, 12	Do.

FR 16348, May 8, 1974, as amended at 51
40676, Nov. 7, 1986]

2.627 [Reserved]

2.628 Attainment dates for national standards.

The following table presents the
test dates by which the national standards are to be attained. These dates reflect the information presented in Hawaii's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants
	Primary	Secondary	Primary	Secondary			
e of Hawaii	*a*	a	c	c	c	c	c

ote: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific
e or the date provided was not acceptable.

July 1975.
Air quality levels presently below secondary standards.

FR 10861, May 31, 1972, as amended at 37 FR 19808, Sept. 22, 1972; 38 FR 12702, May
1973; 39 FR 22947, June 25, 1974]

2.629 Review of new sources and modifications.

a) The requirements of Subpart I of
is chapter are not met since the
ate of Hawaii failed to submit a plan
r review of new or modified indirect
urces.

b) *Regulation for review of new or
odified indirect sources.* The provi-
ns of § 52.22(b) are hereby incorpo-
ted by reference and made a part of
e applicable implementation plan
r the State of Hawaii.

FR 7280, Feb. 25, 1974, as amended at 51
R 40677, Nov. 7, 1986]

2.630 [Reserved]

2.631 Maintenance of national standards.

a) The requirements of § 51.110(h)
this chapter are not met because
e State neither identified areas of
e State that have the potential for
olation of the national air quality
andards within 10 years nor provided
justification that there are no such
eas in the State.

b) Pursuant to the requirements of
1.110 (h) and (i) of this chapter, the
dministrator has determined that
ere are no areas in the State having
e potential for violation of the na-
nal ambient air quality standards
thin 10 years.

[40 FR 18734, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.632 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Hawaii.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.633 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26, 52.27 and 52.28, are hereby incorporated and made part of the applicable plan for the State of Hawaii.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Hawaii.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart N—Idaho

§ 52.670 Identification of plan.

(a) Title of plan: "Idaho Air Quality Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous additions (compliance schedules and non-regulatory provisions) to the plan submitted on February 23, 1972, by the Idaho Air Pollution Control Commission.

(2) Request for delegation of legal authority submitted on March 2, 1972, by the Governor.

(3) Compliance schedules submitted on April 12, 1972, by the Governor.

(4) Request for an 18-month extension for particulate matter in all AQCR's submitted on May 5, 1972, by the Governor.

(5) Miscellaneous additions (Non-regulatory) to the plan submitted on May 26, 1972, by the Idaho Air Pollution Control Commission.

(6) Appendices D and E of the plan submitted on June 9, 1972, by the Governor.

(7) Revisions to the Rules and Regulations for the Control of Air Pollution in Idaho submitted on February 15, 1973, by the Governor.

(8) Compliance schedules submitted on July 23, 1973, by the Governor.

(9) Amendment to Chapter IX of the plan to provide for review of indirect sources and a new Chapter XIV which sets forth the control strategy for attaining secondary particulate matter standards on October 16, 1973, by the Governor.

(10) Revisions to 1972 Session Laws, Chapter 347; 1973 Session Laws, Chapter 87, 136, 137, 138, 139, and 143; Chapters 18 and 52, Idaho Code; and the accompanying Attorney General's opinion submitted August 15, 1973, by the Governor.

(11) A new section 4 of Regulation A (General Provisions) and revised Regulation T (Air Pollution Sources Permits) of the Rules and Regulations fo the Control of Air Pollution in Idaho (Chapter VII of the plan), an addition to Chapter XI of the plan to include administrative procedures for indirect source review, and compliance schedules submitted on July 1, 1974, by the Governor.

(12) Air quality maintenance area designation submitted on June 11, 1974, by the Idaho Department of Environmental and Community Services.

(13) An amendment to Regulation C (Ambient Air Quality Standards) and Regulation S (Control of Sulfur Oxide Emissions from Combined Lead/Zinc Smelters) of the Rules and Regulations for the Control of Air Pollution in Idaho and revisions to Chapter IV and Appendix F of the Implementation Plan submitted on January 10, 1975, by the Governor.

(14) Revised sections 2 and 6 of Regulation A (General Provisions) of the Rules and Regulations for the Control of Air Pollution in Idaho submitted o January 24, 1975, by the Governor.

(15) Consent Order for Beker Industries submitted on July 28, 1975 by the Governor.

(16) On January 15, 1980 the Governor submitted the transportation portion of the Boise-Ada County carbo monoxide plan.

(17) On July 1, 1980 the Governo submitted a SIP revision containing variance from the indirect source regulation for an urban renewal project located in downtown Boise, as well as a adjustment to the TCP which ha been submitted to EPA in Januar 1980.

(18) On February 14, 1980 the Sta of Idaho Department of Health an Welfare submitted a plan revision meet the requirements of Air Quali Monitoring 40 CFR Part 58, Subpa C, § 58.20.

(19) Revisions to the "Implementation Plan for the Control of Air Pollution in the State of Idaho" submitte by the Governor of Idaho on Januar 15, 1980: Chapter I "Introduction Chapter II "General Administration Chapter III "Emissions Inventory Chapter IV "Air Quality Monitoring

hapter V "Source Surveillance;" hapter VI "Emergency Episode lan;" Chapter VII "Approval Proceures for New and Modified Sources;" hapter VIII "Non-Attainment Area lans;" Chapter VIII-a "Silver Valley on-Attainment Plan;" Chapter VIII- "Soda Springs Non-Attainment lan;" Appendix A.2 Legal Authority ection 39-100, *Idaho Code*); Appenx A.3, Title I, Chapter I, Rules and egulations for the Control of Air Poltion in Idaho, except indirect source view provisions (1-1002.37, 1-1002.76 d 1-1004), variance provisions (1-07 and 1-1904) and "Sulfur Dioxide nission Limitations for Combined nc and Lead Smelters" (1-1851 rough 1-1868); Appendix B "Emisn Inventory, Ada County Carbon onoxide Non-Attainment Area;" Apndix G "Permits—Silver Valley" (six rmits); and Appendix K "Permits—da Springs" (four permits).

20) Chapter VIII-b "Lewiston Nontainment Plan" submitted by the overnor of Idaho on January 15, 80. On December 4, 1980, the Gover r submitted revised pages 31-39, an erating permit for a kraft pulp and per mill (Appendix H.1), operating rmits for two grain loading termils (Appendices H.3 and H.4), and an erating permit for an asphalt plant ppendix H.5). On February 5, 1981 e Governor further revised the nontainment area plan by submitting a rmit for a wood products operation ppendix H.2).

21) Chapter VIII-d "Pocatello TSP n-Attainment Plan" submitted by e Governor of Idaho on March 7, 80. This submittal included operat permits for an elemental phospho plant (Appendix J.1), a phosphate tilizer manufacturing plant (Appen J.2), and a Portland cement plant ppendix J.3). On February 5, 1981, e Governor submitted a revised apter VIII-d.

22) On February 3, 1984 the State Idaho Department of Health and elfare submitted a revision to add a d maintenance strategy to the aho Implementation Plan.

23) On May 29, 1984, the State of aho Department of Health and Welre submitted the Boise-Ada County rbon monoxide attainment plan as an official State Implementation Plan revision. The submittal was then supplemented on January 3, 1985.

(24) A revised Chapter VII *Approval Procedures for New and Modified Facilities;* revised sections 1-1002, 1-1012, 1-1013, 1-1014, and 1-1101 of Appendix A. 3 "Title 1, Chapter 1, *Rules and Regulations for the Control of Air Pollution in Idaho Manual;*" and the repeal of sections 1-1003, 1-1102 through 1-1112, and 1-1900 through 1-1906 of Appendix A. 3 "Title 1, Chapter 1, *Rules and Regulations for the Control of Air Pollution in Idaho Manual;*" of the Implementation Plan for the Control of Air Pollution in the State of Idaho, submitted by the Director of the State of Idaho Department of Health and Welfare on April 19, 1985. (Sections 1-1003, 1-1102 through 1-1112, and 1-1900 through 1-1906 of Appendix A. 3 "Title 1, Chapter 1, *Rules and Regulations for the Control of Air Pollution in Idaho Manual*" were previously approved by EPA at 40 CFR 52.670(c)(19).) An April 3, 1986, commitment letter from the Director of the State of Idaho Department of Health and Welfare regarding stack height provisions.

(i) *Incorporation by reference.* (A) Revised sections 1-1002, 1-1012, 1-1013, 1-1014, and 1-1101 of Appendix A. 3, "Title 1, Chapter 1, *Rules and Regulations for the Control of Air Pollution in Idaho Manual*" of the Implementation Plan for the Control of Air Pollution in the State of Idaho, as adopted by the Idaho Board of Health and Welfare on November 1, 1984. An April 3, 1986, commitment letter from the Director of the State of Idaho Department of Health and Welfare regarding stack height provisions.

(ii) *Other materials.* (A) Revised Chapter VII *Approval Procedures for New and Modified Facilities* of the Implementation Plan for the Control of Air Pollution in the State of Idaho, submitted by the Director of the Idaho Department of Health and Welfare on April 19, 1985. (This revised chapter replaces an earlier version which was approved by EPA and incorporated by reference at 40 CFR 52.670(c)(19).)

(B) Sections 1-1003, 1-1102 through 1-1112, and 1-1900 through 1-1906 of

Appendix A. 3 "Title 1, Chapter 1, *Rules and Regulations for the Control of Air Pollution in Idaho,*" of the Implementation Plan for the Control of Air Pollution in the State of Idaho, repealed by the Idaho Board of Health and Welfare on November 1, 1984. (These sections, noted as repealed, replace the earlier versions which were approved by EPA and incorporated by reference at 40 CFR 52.670(c)(19).)

[37 FR 10861, May 31, 1972, as amended at 41 FR 8959, Mar. 2, 1976; 41 FR 23202, June 9, 1976; 45 FR 70261, Oct. 23, 1980; 46 FR 15136, Mar. 4, 1981; 47 FR 32533, July 2 1982; 49 FR 18833, May 3, 1984; 50 FR 23811, June 6, 1985; 51 FR 22810, June 2 1986]

§ 52.671 Classification of regions.

The Idaho plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutants				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Eastern Idaho Intrastate	I	II	III	III	III.
Eastern Washington Northern Idaho Interstate (Idaho)	I	II	III	III	III.
Idaho Intrastate	I	III	III	III	III.
Metropolitan Boise Intrastate	II	III	III	I	III.

[37 FR 10861, May 31, 1972, as amended at 45 FR 70261, Oct. 23, 1980; 47 FR 32534, July 2 1982]

§ 52.672 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Idaho's plan for the attainment and maintenance of the secondary standards for sulfur oxides in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region and of the secondary standards for particulate matter in all regions in Idaho.

(b) The Administrator hereby extends for 2 years the attainment date for the primary standards for sulfur oxides in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region.

(c) The Administrator hereby extends to July 31, 1976, the attainment date for the primary and secondary standards for sulfur oxides in the Eastern Idaho Intrastate Air Quality Control Region.

(d) The Administrator hereby extends to July 1, 1980, the statutory timetable for submission of Idaho's plan for the attainment and maintenance of the secondary standards for total suspended particulate in all nonattainment areas in Idaho.

(e) The Administrator hereby extends the attainment date for carbon monoxide in the Boise-Ada County nonattainment area to December 31 1987.

(f) The Administrator hereby e tends for 2 years (from March 11, 19 to March 11, 1990) the attainme date for lead in Shoshone Count Idaho, in the Idaho portion of th Eastern Washington-Northern Idah Interstate Air Quality Control Regio

[37 FR 10861, May 31, 1972, as amended 37 FR 15082, July 27, 1972; 41 FR 232 June 9, 1976; 44 FR 44498, July 30, 1979; FR 53161, Sept. 13, 1979; 45 FR 70261, O 23, 1980; 45 FR 81041, Dec. 9, 1980; 50 F 36878, Sept. 10, 1985]

§ 52.673 Approval status.

With the exceptions set forth in th subpart, the Administrator approv Idaho's plan for the attainment a maintenance of the national stan ards.

§ 52.674 Legal authority.

(a) The requirements of § 51.230 of this chapter are not met since t authority to release emission data the public could be precluded in c tain circumstances by section 39-1 of the Idaho Code annotated.

(b) Delegation of Authority: Pur ant to section 114 of the Act, Idaho quested a delegation of authority enable it to collect, correlate, and

ease emission data to the public. The
dministrator has determined that
daho is qualified to receive a delega-
ion of the authority it requested. Ac-
ordingly, the Administrator delegates
o Idaho his authority under section
114(a) (1) and (2) and section 114(c) of
he Act, i.e., authority to collect, corre-
ate, and release emission data to the
public.

7 FR 10861, May 31, 1972, as amended at
 FR 41253, Nov. 11, 1974; 51 FR 40676,
ov. 7, 1986]

52.675 Control strategy: Sulfur oxides—Eastern Idaho Intrastate Air Quality Control Region.

a)(1) Regulation R of the Rules and
egulations for the Control of Air Pol-
ution in Idaho, which is part of the
ulfur dioxide (SO_2) control strategy,
 disapproved since it is inconsistent
ith the purposes and provisions of
ubpart G of this chapter. These re-
uirements are not met by Regulation
 in that the SO_2 control strategy con-
ained therein is not adequate for the
tainment and maintenance of SO_2
ational ambient air quality standards
AAQS).

2) Rules 1-1801 through 1-1804
ules for Control of Sulfur Oxide
issions from Sulfuric Acid Plants)
the "Rules and Regulations for the
ntrol of Air Pollution in Idaho" are
dequate to ensure attainment and
intenance of Sulfur Dioxide Na-
nal Ambient Air Quality Standards
 the Eastern Idaho Intrastate Air
ality Control Region. Special limits
e previously been established for
tain existing acid plants in this Air
ality Control Region
52.670(c)(15) and 52.675(b)). There-
e, Rules 1-1801 through 1-1804 are
roved except as they apply to ex-
g acid plants with approved or
mulgated emission limits that are
e stringent than the limit found in
02.

) Regulation for control of sulfur
ide (SO_2) emissions: Sulfuric Acid
ts. (1) The provisions of this para-
h shall apply to the owner(s) and
ator(s) of The J. R. Simplot Com-
's Minerals and Chemical Divi-
, located in Power County, Idaho,
he Eastern Idaho Intrastate Air
lity Control Region.

(2) The owner(s) and operator(s) of The J. R. Simplot Company facility shall utilize best engineering techniques in the operation of their plant to prevent fugitive SO losses. Such techniques shall include but are not limited to:

(i) Operating and maintaining all conducts, flues, and stacks in a leak-free condition.

(ii) Operating and maintaining all process equipment and gas collection systems in such a fashion that leakage of SO_2 gases will be prevented to the maximum extent possible.

(3) The owner(s) and operator(s) of The J. R. Simplot Company facility shall limit SO_2 emissions from their sulfuric acid plants per the following:

(i) The combined SO_2 emissions from the designated 100 and 200 sulfric acid plants shall not exceed 2 kilograms (kg) per metric ton (4 pounds per ton) of 100 percent sulfuric acid produced.

(ii) The SO_2 emissions from the designated 300 sulfuric acid plant and stack shall not exceed 994 kg per hour (2190 pounds per hour).

(4) (i) The owner(s) and operator(s) of The J. R. Simplot Company shall achieve compliance with the requirements specified in paragraphs (b)(2) and (b)(3) of this section in accordance with the following schedule:

(A) Advise EPA as to status of contract(s) and construction schedules for pollution abatement projects within 30 days of the effective date of this regulation.

(B) Attain final compliance by July 31, 1976.

(ii) A performance test of the 300 acid plant shall be necessary to determine whether compliance has been achieved with the requirements of paragraph (b)(3) of this section. Such test must be completed within 15 days of the final compliance date specified in paragraph (b)(4)(i) of this section. Notice must be given to the Administrator at least 10 days prior to such a test to afford him an opportunity to have an observer present.

(iii) Within 60 days after achieving the maximum production rate at which the 100 and 200 acid plant will be operated, but not later than 180 days after initial start-up of these plants and at such other times as may be required by the Administrator under section 114 of the Clean Air Act, the owner(s) and operator(s) of the facility shall conduct performance test(s) in accordance with the requirements of 40 CFR 60.8.

(iv) If the owner(s) and operator(s) of the J. R. Simplot Company facility are presently in compliance with the requirements of paragraphs (b)(2) and (b)(3) of this section or in compliance with a portion of these requirements, such compliance shall be certified to the Administrator within 15 days following the date of the publication of these requirements as a final regulation in the FEDERAL REGISTER. If the owner(s) or operator(s) of The J. R. Simplot Company achieve compliance prior to July 31, 1976, such compliance shall be certified to the Administrator within 15 days of the date of achieving compliance. The Administrator may request whatever supporting information he considers necessary to determine the validity of the certification.

(5) (i) By no later than September 30, 1976, the owner(s) and operator(s) of The J. R. Simplot Company facility shall install, calibrate, maintain and operate measurement system(s) for:

(A) Continuously monitoring and recording SO_2 concentration rates in each sulfuric acid plant discharge stack per the requirements of 40 CFR 60.13 and 60.84.

(B) Continuously monitoring and recording gas volumetric flow rates in the exhaust stack of the designated 300 sulfuric acid plant.

(ii) By no later than October 30, 1976, and at such other times following that date as the Administrator may specify, the SO_2 concentration measurement system(s) and stack gas volumetric flow rate system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in 40 CFR 60.13 and Appendix E to this part, respectively. The Administrator shall be notified at least 10 days prior to the start of this field test period to afford the Administrator the opportunity to have an observer present.

(iii) The sampling point for monitoring the concentration of SO_2 emissions shall be in the duct at the centroid of the cross section of the discharg stack if the cross sectional area is les than 4.65 m^2 (50 ft^2) or at a point n closer to the wall than 0.91 m (3 ft) the cross sectional area is 4.65 m^2 (5 ft^2) or more. The monitor sampl point shall be representative of the av erage concentration in the duct.

(iv) The measurement system(shall be maintained, operated and cal brated in accordance with the meth ods prescribed by the manufacturer Records of maintenance and/or cal bration shall be kept and submitted t the Administrator upon reques These records shall clearly show in strument readings before and afte such calibration and/or maintenance.

(v) The owner(s) and operator(s) The J. R. Simplot Company facilit shall maintain a daily record of thre hour average emission rate measur ments for each sulfuric acid plan Three hour average emission rat shall be calculated for each day begi ning at midnight. For the 100 and 2 acid plants, the calculations shall be conformance with 40 CFR 60.84. F the 300 acid plant, average SO_2 emi sion rates expressed in kg SO_2 p hour shall be calculated. The resul of these calculations for each mon shall be submitted to the Administr tor within 15 days following the end each month. Such submission sh identify each period of excess emi sions that occurred and the natu and cause of any malfunction known), the corrective action taken preventative measures adopted. T records of such measurements inclu ing strip charts and other appropria raw data shall be retained for a mi mum of two years following the da of such measurements.

(vi) The continuous monitoring a recordkeeping requirements of par graph (b)(5) of this section sh become applicable September 30, 19

(6)(i) Compliance with the requi ments set forth in paragraph (b)(3) this section shall be determined us the emission rates measured by t continuous measurement system(s) stalled, calibrated, maintained and erated in accordance with the requi ments of paragraph (b)(5) of this s tion.

(ii) At the Administrator's discre- on, compliance may also be deter- ined using the manual source test ethods per 40 CFR 60.85 and Appen- ix A to Part 60 of this title. Emission ates for each stack shall be expressed units consistent with those in para- aph (b)(3) of this section.

(iii) A violation of the requirements f paragraph (b)(3) of this section all occur whenever the SO$_2$ emission ates determined according to para- aph (b)(6)(i) or (b)(6)(ii) of this sec- n exceed the corresponding SO$_2$ mission rates specified in paragraph)(3) of this section.

(7) The owner(s) and operator(s) of he J. R. Simplot Company facility all by September 30, 1976, install, alibrate, maintain and operate a net- rk for continuously monitoring ound level ambient SO$_2$ concentra- ons and wind speed and direction.

(i) The monitoring network shall nsist of at least four ambient SO$_2$ onitoring stations and one meteoro- gical station placed at locations ap- oved by the Administrator.

(ii) The SO$_2$ monitoring network all be consistent with automated uivalent methods for measurement f ambient concentrations of SO$_2$ as efined in Part 53 of this chapter.

(iii) The monitoring network in- alled and used pursuant to this sub- aragraph shall be maintained, oper- ed and calibrated in accordance with e methods prescribed by the manu- cturers. Records of maintenance d/or calibration shall be kept and bmitted to the Administrator upon quest. These records shall clearly ow instrument readings before and ter such calibration and/or mainte- ance.

(iv) The owner(s) and operator(s) of he J. R. Simplot Company facility all maintain a daily record of all easurements required by this sub- aragraph. Strip charts and other raw ta from the monitoring network all be retained for a minimum of o years following the date of such easurement.

(v) The owner(s) and operator(s) of he J. R. Simplot Company shall cal- ulate hourly average ambient SO$_2$ oncentrations, wind speed, and wind rection from each monitoring station and submit such values to the Administrator within 15 days following the end of each month.

(vi) The continuous monitoring and recordkeeping requirements of paragraph (b)(7) of this section shall become applicable September 30, 1976 and shall remain applicable until such time as the Administrator declares that an adequate ambient air data base has been established, which shall be no earlier than at least one calendar year.

(vii) Within 90 days of the Administrator's declaration of an adequate data base, Simplot shall submit to the Administrator a technical analysis of the degree of permanent control required on the 300 acid plant to ensure attainment and maintenance of NAAQS.

(8) Nothing in paragraph (b) of this section shall be construed to relieve the owner(s) and operator(s) of The J. R. Simplot Company to comply with any applicable requirements of Part 60 of this title. In the event of conflicting requirements or interpretations between Part 60 of this title and this paragraph, the more restrictive interpretation or requirement shall apply.

(9) In the event that measurement systems cannot be installed and operational by the date specified in this section, The J. R. Simplot Company shall propose the earliest possible date by which such requirements can be met. Such proposal shall include adequate justification and supporting documentation.

[41 FR 23202, June 9, 1976, as amended at 47 FR 32534, July 26, 1982; 51 FR 40676, Nov. 7, 1986]

§ 52.676 Control Strategy: Sulfur oxides—Eastern Washington-Northern Idaho Interstate Region.

(a) (1) The requirements of Subpart G of this chapter are not met to the extent discussed in paragraph (a)(2) of this section in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region since the plan does not provide for the necessary emission reductions for the attainment and maintenance of the primary and secondary standards for sulfur oxides.

(2) Regulation S of the "Rules and Regulations for the Control of Air Pollution in Idaho" is approved with the exception of Section IV. Section IV of Regulation S of the "Rules and Regulations for the Control of Air Pollution in Idaho" is disapproved and is replaced by paragraph (b) of this section as shown below.

(b) *Interim Regulation for control of sulfur dioxide (SO_2) emissions from the Bunker Hill Company lead and zinc smelter located in Shoshone County in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region*—(1) *SO_2 Emission Limitations.* Effective on June 11, 1980, the owner(s) or operator(s) of the subject smelter shall comply with the requirements of paragraph (b)(1) in regard to the capture of SO_2. The requirements governing SO_2 gas stream bypass during the annual acid plant maintenance period as provided by paragraphs (b)(5) and (b)(6) of this section shall become effective on June 11, 1979.

(i) The owner(s) or operator(s) of the smelter subject to paragraph (b)(1) of this section shall not cause or allow the discharge of gases in excess of:

(A) 2600 parts per million (by volume) SO_2 averaged over any hourly running 6-hour averaging period, from any sulfuric acid plant as determined by continuous monitoring equipment specified in paragraph (b)(1)(iv) of this section and in accordance with the compliance procedures specified in paragraph (b)(4)(iii) of this section. In determining violations of the 6-hour averaging period, no two violations shall contain any common hourly data points; and

(B) 567,000 kg (625 tons) SO_2 over a daily (midnight to midnight) running 7-day period as determined by continuous monitoring equipment [1] specified in paragraph (b)(1)(iv) of this section and in accordance with the compliance procedures specified in paragraph (b)(4)(iii) of this section. Such limitation is plant wide and shall apply to
the sum total of SO_2 emissions fro
the lead smelter main stack and th
zinc plant main stack and shall includ
all excess emissions as defined in par
graph (b)(2)(i) of this section. Excep
as provided in paragraph (b)(6)(ii) o
this section the emission limitatio
shall not be exceeded more than onc
per three (3) month calendar quarte
e.g., January, February and March
Such single excused emission shall b
the first exceedence of the 7-day limi
in the three (3) month quarterl
period. In determining violations o
the 7-day limit, no two (2) violation
shall contain any common daily (mid
night-to-midnight) data points. As pro
vided in Appendix A to this regualtio
and upon notification by the Enforc
ment Division Director of the EPA
Region X the plant wide emissio
limit shall be decreased to not le
than 548,000 kg (604 tons) SO_2.

(ii) *Bypass Prohibition.* Except a
provided in paragraph (b)(2)(ii) of thi
section all SO_2 gas streams discharge
from any zinc plant roaster and fro
the strong gas exit point on the inpu
end of the lead smelter sinter machin
shall at all times be processed in a
SO_2 removal facility. The owner(s) o
operator(s) shall not cause or allo
these SO_2 gas streams to be discharge
to the atmosphere.

(iii) *Circumvention.* Other than fo
temporary process control or to tem
porarily prevent significant equipmen
damage, dilution air or other extrane
ous gases shall not be allowed to ente
or combine with any process gas no
mally treated by an SO_2 removal faci
ty or with any acid plant tailgas pri
to SO_2 concentration or flow measur
ment where the purpose of such com
bination would be to:

(A) In other than the lead smelter o
zinc plant main stacks decrease th
concentration of SO_2 in such stream

(B) Otherwise adversely affect th
operation of any SO_2 removal syste
SO_2 concentration measureme
device or gas flow measureme
device; and

(C) Decrease the concentration o
SO_2 in gases exhausted from the sint
machine and zinc roasters which w
have the effect of circumventing th
requirements of paragraph (b)(2)(ii) o
this section. The owner(s) o

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[1] The owner(s) or operator(s) shall have the right in any enforcement proceeding to raise the issue of the accuracy of continuous monitoring instruments.

operator(s) must promptly inform the Administrator of any substantial changes in process gas flow which may affect the performance of any SO_2 removal facility or measurement device, regardless of the purpose for any such change.

(iv) *Continuous Monitoring.* The owner(s) or operator(s) shall install and calibrate, and shall thereafter maintain, operate and periodically test measurement systems for continuously monitoring and recording SO_2 emission concentrations, gas volumetric flow rates and gas flow indication in accordance with paragraph (b)(4)(ii) of this section for the monitoring equipment listed and at the following locations:

(A) Continuously operated SO_2 emission concentration and gas volumetric flow rate monitors and recorders located immediately downstream of each acid plant such that the measurement system measures only the tailgas from one acid plant;

(B) Continuously operated SO_2 concentration and gas volumetric flow rate monitors and recorders located in the zinc plant main stack;

(C) Continuously operated SO_2 concentration and gas volumetric flow rate monitors and recorders located in the lead smelter main stack and the lead smelter acid plant (upstream of the acid plant converter);

(D) Continuously operated gas flow indicating devices which will indicate and record the presence of gas flow in any duct or outlet from the sinter machine where SO_2 gas streams normally treated in an SO_2 removal facility may be bypassed around such facility and be routed to the atmosphere;

(E) Continuously operated gas flow indicating devices which will indicate and record the presence of gas flow in each of the individual five ducts receiving the bypass exhaust gas from zinc roasters #1 through #5. Each device must be located to monitor the bypass from only one roaster;

(F) Continuously operated gas flow indicating devices which will indicate and record the presence of gas flow in any duct or outlet where a single zinc roaster or combination of zinc roasters exhaust gas streams may be bypassed around an acid plant and routed to the atmosphere; and

(G) Based on a finding that the monitoring equipment specified herein is reasonably deemed to be inadequate to provide for effective regulatory compliance the Administrator may require the owner(s) or operator(s) to install and continuously operate gas volumetric flow rate monitor(s) and recorder(s) in any duct or outlet where exhaust gas may be bypassed around the acid plant(s) and routed to the atmosphere. In the event that such a finding is made by the Administrator, the owner(s) or operator(s) agree to install and operate such continuous monitors on or before sixty (60) days after the owner(s) or operator(s) receive such written notification by the Enforcement Division Director of Region X-EPA.

(v) *Continuous Process Monitoring.* The owner(s) or operator(s) shall install and calibrate, and shall thereafter maintain, operate and periodically test measurement systems for continuously monitoring and recording process parameters for the monitoring equipment listed and at the following locations:

(A) Continuous temperature monitors located to measure and record the inlet gas temperature at the first and third catalyst beds of each sulfuric acid plant;

(B) Continuously operated monitors which will detect and record the commencement and cessation of concentrate feed entering each zinc roaster. The recorded data from such monitors shall be printed on the same chart as used to record bypass gas flow in paragraphs (b)(1)(iv) (E) and (F) of this section from each individual zinc roaster; and

(C) Continuously operated monitor which will detect and record the commencement and cessation of concentrate feed entering the sinter machine. The recorded data from such monitor shall be printed on the same chart as used to record bypass gas flow in paragraph (b)(1)(iv)(D) of this section from the sinter machine; and

(vi) *Fugitive SO_2 Emissions.* The owner(s) or operator(s) shall utilize best engineering techniques to capture and vent such fugitive SO_2 gases through stacks serving the facility. Such techniques shall include but not be limited to:

(A) Maintaining and operating all ducts, flues and stacks in a leak-free condition;

(B) Maintaining and operating all process equipment and gas collection systems in such a fashion that outleakage of SO_2 gases will be prevented to the maximum extent possible;

(C) Instituting a program to reduce the fugitive emissions from the zinc roasters by reducing the frequency of positive pressure surges in the zinc roasters. This will be accompanied by component replacement, new fans, better operating practices, or other improvements to the integrity of the gas collection system as necessary to attain the Occupational Safety and Health Administration (OSHA) lead standard. This project will be completed on the dates required by the OSHA regulation to meet the lead workplace concentration standard. The estimated reduction in SO_2 fugitive emissions is approximately 8 tons per week and after treatment in an acid plant is expected to increase the total SO_2 emissions in the zinc smelter main stack by no more than 1 ton per week;

(D) Instituting a program to improve the draft maintained in the sinter machine hooding. This program will include increased maintenance on the strong and weak gas ducts, complete replacement of any mild steel hood material with stainless steel, excluding the last two hood sections which are not subject to high corrosion, and improvements in other system components to achieve 90 percent collection of the existing fugitive emissions estimated to be 4 tons of SO_2 per week. Part of these emissions will be treated in an acid plant so the increase in emissions through the lead smelter tall stack is estimated to be 3 tons of SO_2 per week. Such a program is expected to increase the total SO_2 emissions from the lead smelter main stack by no more than 3 tons per week; and

(E) Installing and operating a manual and if necessary automatically controlled tuyere air flow control system on both blast furnaces on or before June 11, 1980. The system is to be designed to eliminate over 90 percent of the current furnace upset conditions that result in fugitive SO_2 emissions. Such a program is expected to increase the total SO_2 emissions from the lead smelter main stack by no more than 21 tons per week. The program will be designed to reduce the frequency of blast furnace upset conditions to an aggregate total of less than 3.4 hours per week.

(F) Compliance with the fugitive SO_2 emission control program will be judged by Appendix A to this regulation.

(2) *Excess Emissions.* Effective on June 11, 1980, the owner(s) or operator(s) of the subject smelter shall comply with the requirements of paragraph (b)(2) of this section in regard to acid plant bypass, excess emissions and equipment malfunction. The requirements governing excess emissions during the annual acid plant maintenance period as set forth in paragraphs (b)(5) and (b)(6) of this section shall become effective on June 11, 1979.

(i) *Definition of Excess Emissions.* Any SO_2 emissions exceeding the limitations specified in paragraph (b)(1)(i) of this section above shall constitute an excess emission. SO_2 gas streams discharged to the atmosphere from any zinc plant roaster and from the strong gas exit point on the input end of the lead smelter sinter machine without being processed in an SO_2 removal facility shall also constitute an excess emission.

(ii) *Presumptively Excused Excess Emissions.* Where the owner(s) or operator(s) fully comply with the reporting requirements of paragraph (b)(2)(iv) of this section and further demonstrate that the conditions specified in paragraphs (b)(2)(ii) (A) through (E) of this section have been met, the bypass of SO_2 gas streams around an SO_2 removal facility shall be excused. Any excess emissions whether or not claimed by the owner(s) or operator(s) to be excused excess emissions, may be deemed by the Administrator to violate this regulation where the owner(s) or operator(s) fail to comply with any requirement of paragraph (b)(2)(ii) of this section or upon a finding by the Administrator that the excess emisions claimed to be excusable by the wner(s) or operator(s) were caused by ne or more of the conditions set forth paragraphs (b)(2)(v) (A) through C) of this section. Excess emissions sulting from the following condi- ions are presumptively excused:

(A) *Process Shutdown Following cid Plant Breakdown.* In the event of breakdown or malfunction of an acid lant, the owner(s) or operator(s) may ypass the gas stream normally con- rolled by such acid plant, only for the ime period necessary to shut down he process equipment (zinc roaster(s) r sintering machine) whose SO_2 reams would normally be controlled y such acid plant. Shutdown of the rocess equipment shall be initiated mmediately and the time period to ac- omplish the shutdown and during hich bypass is excused shall not xceed the following:

(*1*) 15 minutes for the sinter ma- hine except where complete empty- g of the sinter belt is required the ime period shall not exceed 60 min- tes; and

(*2*) 30 minutes for shutdown of any ingle zinc roaster or combination of inc roasters;

(B) *Process Shutdown Following inc Roaster Breakdown.* In the event f a breakdown or malfunction of a inc roaster, the owner(s) or perator(s) may bypass the gas ex- austed from that individual roaster round an acid plant and to the atmos- here commencing 5 minutes after oncentrate feed ceases to enter such oaster;

(C) *Process Startup Following Zinc oaster Shutdown.* During the period hen a zinc roaster is restarted follow- g its shutdown the owner(s) or perator(s) may bypass the gas ex- austed from that individual roaster round the acid plant and to the at- osphere *only* as follows:

(*1*) If either of the zinc plant acid lants is being restarted the owner(s) r operator(s) may bypass, around an cid plant and to the atmosphere, the oaster exhaust gas *only* for the time eriod necessary for a well designed, perated and maintained acid plant [2] to establish autothermal [3] operation; and

(*2*) If no acid plant is being restarted and if one or more zinc roasters is operating the owner(s) or operator(s) may bypass, around an acid plant and to the atmosphere, the exhaust gas from the individual roaster which is starting-up but *only* for the time period which ends 15 minutes after concentrate feed commences to enter such roaster;

(D) *Process Start-up Following Sinter Machine Shutdown.* In the event that the sinter machine has been shutdown, and upon its restart, the owner(s) or operator(s) may bypass the exhaust gas, around the acid plant and to the atmosphere, *only* as follows:

(*1*) If the sintering machine has been shutdown for greater than 3 hours bypass may occur but may not exceed the time period necessary for a well designed, operated and maintained acid plan to re-establish autothermal operation; and

(*2*) If the sintering machine has been shutdown due to an acid plant component failure and the repair of the acid plant component takes longer than 3 hours bypass during restart of the sinter machine may occur. Such bypass may not exceed the time period necessary for a well designed, operated and maintained acid plant to re-establish autothermal operation;

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[2] As used in this regulation, in a well de- ned, operated and maintained acid plant the first catalyst bed must be at or be heated to a minimum temperature of 750°F before the zinc roaster (or sinter machine) the acid plant serves re-starts.

[3] As used in this regualtion the term "autothermal operation" is defined as the point in time when the temperature of gases entering the first catalyst bed in the acid plant converter is at 825°F or when the temperature of gases entering the third catalyst bed is at 750°F whichever comes first. The owner(s) or operator(s) shall insure that at any time an acid plant is started up sufficient gas will be routed to the acid plant as soon as possible to achieve autothermal operation. Further, the fan supplying gas to the lead smelter acid plant (Fan No. 6) shall upon start-up of the sinter machine immediately be brought up to full R.P.M. and operating Logs maintained to document full RPM flow rate.

(E) *Continued Process Operation During Annual Acid Plant Maintenance.* The owner(s) or operator(s) may bypass the process emissions around the acid plant and to the atmosphere during the annual acid plant maintenance period *only* to the extent allowed by paragraphs (b)(5) and (b)(6) of this section;

(iii) *Other Excess Emissions.* The owner(s) or operator(s) may in the required excess emission report of paragraph (b)(2)(iv) of this section claim that excess emissions should be deemed by the Administrator to be excusable. Any excess emission claimed to be excusable under this paragraph (b)(2)(iii) of this section shall be a violation of this regulation unless and until the owner(s) or operator(s) demonstrate to the satisfaction of the Administrator that such excess emission should be excused. For the purpose of illustration, cited below are categories of other excess emissions which may be excused:

(A) Bypass of gas around SO_2 removal facilities where necessary to prevent loss of life, personal injury or severe property damage. (Severe property damage does not include economic losses caused by production losses such as those caused by shutdown of the blast furnace or electrolytic zinc processes due to lack of feed material.); and

(B) Sudden and unavoidable excess acid plant tailgas SO_2 emissions which are beyond the control of the owner(s) or operator(s). However, excess emissions shall not be deemed beyond the control of the owner(s) or operator(s) if caused by one or more of the following:

(*1*) Improperly designed acid plant components;

(*2*) Improperly operated process(es) or acid plant equipment;

(*3*) Inadequate maintenance of acid plant and/or gas cleaning systems; and

(*4*) In general, any fluctuations in volume or SO_2 concentrations of the acid plant feed gas.

(iv) *Excess Emission Report.* For any excess emissions, including those covered in paragraphs (b)(2)(ii) and (b)(2)(iii) of this section the owner(s) or operator(s) shall submit an initial report to the Enforcement Division Director of the EPA—Region X. Th report shall be submitted monthl within fifteen (15) days from the las day of the prior month. The owner(s or operator(s) shall also record an maintain other supplemental informa tion as set forth in paragrap (b)(2)(iv)(B) of this section.

(A) The initial report shall contai the following information:

(*1*) Identify of the gas stream, stac or other point where the excess emis sions occurred;

(*2*) General magnitude of the exces emissions;

(*3*) Time and duration of the exces emissions;

(*4*) Nature and cause of such exce emissions; and

(*5*) Identity of the equipment cau ing the excess emissions;

(B) The supplemental informatio shall include the following and if re quested be provided to the Enforce ment Division Director of EPA— Region X within thirty (30) days of re quest:

(*1*) Specific steps taken by th operator(s) to limit the excess emis sions and when those steps were com menced;

(*2*) If the excess emissions were th result of equipment malfunction, th steps taken to remedy the malfunctio and to prevent the recurrence of suc malfunction;

(*3*) Specific magnitude of the exces emissions including monitoring dat and calculations which describe o may be used in determining the mag nitude of the excess emissions;

(*4*) Maintenance schedules applica ble to the equipment causing th excess emissions;

(*5*) Copies of properly signed co temporaneous operating log sheet and

(*6*) Other related documentation a may be reasonably required by the D rector to assist him in the evaluatio of the excess emissions including an information necessary to make the de terminations set forth in paragrap (b)(2)(v) of this section.

(C) Failure of the owner(s) o operator(s) to provide the EPA with full and complete excess emission report within a timely fashion, sha

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stitute a violation of this regula-
n.

(v) *Evaluation of Excess Emission*
port. In evaluating the excess emis-
ns, the Enforcement Division Direc-
r shall take into consideration, the
lowing:

(A) Whether the air pollution con-
ol systems and process equipment
re at all times maintained and oper-
ed, to the maximum extent practica-
le, in a manner consistent with best
actice for minimizing emissions;

(B) Whether the amount and dura-
on of the excess emissions were mini-
ized to the maximum extent practi-
ble during periods of such emissions,
d process equipment was shut down
thin the shortest reasonable time
ter the SO_2 removal facility shut
wn occurs; and

(C) Whether the excess emissions
re part of a recurring pattern indic-
ive of serious deficiencies in, the
sign, operation or maintenance of,
e process(es), the gas cleaning equip-
ent or the SO_2 removal facility, in-
ding whether prescribed mainte-
nce schedules were followed.

(vi) Nothing in this subsection shall
e construed to limit the authority of
e Administrator to take any action
der section 303 of the Clean Air Act.

(3) *Supplementary Control System.*
ffective on June 11, 1979, the
ner(s) or operator(s) of the subject
elter, in addition to meeting the
O, capture requirements of para-
aph (b)(1) of this section shall
ploy a supplementary control
stem (SCS) to the extent necessary
meet National Ambient Air Quality
andards (NAAQS) for SO_2 and such
her additional control measures as
ay be necessary, to assure the attain-
ent and maintenance of NAAQS for
O. The requirements applicable to
e SCS program and meeting ambi-
t air quality standards are as fol-
ws:

(i) *SCS Analysis.* On January 18,
79, the Administrator provided the
ner(s) or operator(s) with a copy of
EPA technical anlysis of the exist-
g SCS program detailing deficiencies
such program;

(ii) *Final SCS Program.* Except
ring the interim period as provided
paragraph (b)(3)(vii) of this section,
the final SCS program shall be conducted in accordance with the provisions of an SCS implementation plan and an SCS operational manual, both of which must be approved by the Administrator. The SCS implementation plan shall describe the administrative requirements, personnel staffing, components and equipment of the SCS system. The SCS manual shall describe the circumstances under which, the extent to which, and the procedures through which emissions shall be curtailed to prevent violations of the NAAQS for SO_2. Process SO_2 emission shall be curtailed in accordance with the SCS operating manual whenever the potential for violating any NAAQS for SO_2 is indicated at any point in a designated liability area (as defined in paragraph (b)(3)(v) of this section) by air quality measurements and air quality predictions;

(iii) *The SCS Implementation Plan.* An approvable SCS implementation plan shall contain (but not be limited to) the following:

(A) A detailed description of the emission monitoring system and the continuous SO_2 monitoring network that will be used in the SCS to detect maximum ground-level SO_2 concentrations in the designated liability area (DLA). Such description must specify the number, type and exact location of each SO_2 monitor and in-stack monitor to be used. An approvable monitoring system/network must include the following:

(*1*) Except as provided in paragraph (b)(3)(viii)(C) of this section, the continuous SO_2 monitoring equipment shall be located at all ambient air[4] points of expected maximum ground-level SO_2 concentrations in the DLA provided that if deemed necessary to guarantee attainment and maintenance of standards, monitors may be located in other locations with the approval of the Administrator. The determination of the locations where maximum concentrations may occur shall take into account all reasonably probable meteorological and process operating conditions, as well as the presence of other sources of SO_2 significantly affecting SO_2 concentrations in the DLA;

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[4] As used in this regulation the term "ambient air" shall be defined in the same manner as that term is defined in the Clean Air Act and regulations promulgated thereunder.

(*2*) The number and location of sites shall be based on dispersion modeling, measured ambient air quality data, meteorological data and other meteorological information;

(*3*) The system shall include the use of fixed SO_2 ambient monitors and one mobile monitor to be sited as, from time to time, the EPA—Region X may reasonably direct unless the Administrator determines, on the basis of a demonstration by the owner(s) or operator(s), that the use of fewer monitors would not limit coverage of points of maximum concentration or otherwise reduce the capability of the owner(s) or operator(s) to prevent any violations of the NAAQS in the DLA; and

(*4*) All monitors shall be continuously operated and maintained and shall meet the performance specifications contained in 40 CFR Part 53. The monitors shall be capable of routine real time measurement of maximum expected SO_2 concentrations for the averaging times of SO_2 NAAQS.

(B) A detailed description of the meteorological sensing network. Such description must specify the number, type and exact location of each meteorological instrument to be used. An approvable network must have an assessment capability adequate to identify conditions requiring emission curtailment to prevent possible violations of the NAAQS. The meteorological assessment capability shall provide all forecast and current information necessary for successful use of the system's operational manual;

(C) A program whereby the owner(s) or operator(s) systematically evaluates and improves the ability of the SCS to protect against violations of the NAAQS. Such program must be based upon the information contained in the EPA Guideline Document—OAQPS 1.2-036; and

(D) A clear delineation of authority delegated to an appropriate named company official to require all other smelter personnel to comply with the SCS operator's curtailment decisions. The identity of responsible and knowledgeable on-site company personnel who are the qualified SCS operator and are authorized to initiate and supervise the actions that will be taken to curtail emissions shall be listed such personnel must, upon request, b able and be authorized by the Company to inform the Administrator as t the status of the SCS, meteorologic and air quality conditions at any tim and whether and to what extent th recommendations or determinations o the SCS operator(s) were followed o overridden by any Company official i making any curtailment or operatin decision;

(iv) *The SCS Operating Manual.* A approvable operational manual shal require operation of the SCS to include (but not be limited to) the following:

(A) Prescribed emission curtailmen decisions based on the use of real tim information from the air quality monitoring network, dispersion model estimates of the effect of SO_2 emissio on air quality, and meteorological observations and predictions;[8]

(B) The maintenance and calibratio procedures and schedules for all SC equipment;

(C) The procedures to be followe for the regular acquisition of all meteorological information necessary to operate the system;

(D) The ambient concentrations an meteorological conditions that shall b used as criteria for initiating variou degrees of non-discretionary emissio curtailment;

(E) The meteorological variables including the thresholds, ranges an combinations of values as to whic judgments may be made to anticipat the onset of, and apply, the criteri stated in paragraph (b)(3)(iv)(D) o this section. Specifically, the maximum emission rates which may preva under each of these meteorologic and air quality situations must b specified. Such emission rates shall b determined by in-stack monitors an all be the basis for determining hether provisions of the operational anual are adhered to;

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[8] The intent behind this subparagraph i set forth in Subpart D of the recently proposed NSO regulations (44 FR 6283; 628 6291 (January 31, 1979) and 44 FR 110 11097 (February 27, 1979).

(F) The procedures through which nd the maximum time period within hich a curtailment decision will be ade and implemented by the SCS operator;

(G) The method for immediately aluating the adequacy of a particu-r curtailment decision, including the ctors to be considered in that evaluaon;

(H) The procedures through which nd the time within which additional ecessary curtailment will immediatey be effected; and

(I) The procedures to be followed to rotect the NAAQS for SO$_2$ in the ent of a mechanical failure in any ement of the SCS.

(v) *Designated Liability Area.* The LA shall be the area within two cir-les, each with a radius of 10 statute iles (16 kilometers) with the center oint of such circles coinciding, respecively, with the main stack serving the ad smelter and the main stack serv-g the zinc plant. If new information ecomes available which demonstrates at the DLA should be redefined, the dministrator shall consider such inrmation and if appropriate, redefine e DLA.

(vi) *Consent to Liability.* On or efore July 11, 1979, the owner(s) or perator(s) shall submit to the Admintrator an affidavit signed by a reponsible company official, empowered o do so, stating that in any judicial or dministrative proceeding to enforce is regulation the owner(s) will cept responsibility for violations of e NAAQS for SO$_2$ in areas of ambint air in the DLA as defined by paraaph (b)(3)(v) of this section

(vii) *Interim Conduct of SCS Proram.* Until the Administrator aproves under paragraph (b)(3)(x) of is section a revised SCS implementan plan and a revised SCS operationl manual required under paragraph (3)(ix)(C) of this section, the wner(s) or operator(s) shall conduct e SCS program in accordance with e existing SCS operational manual d the existing SCS implementation n which has been approved by the rector of the State of Idaho Department of Health and Welfare (IDHW): *Provided,* That, upon execution of the consent to liability as required by paragraph (b)(3)(vi) of this section, the existing manual and plan shall be deemed modified by such consent.

(viii) *Study Regarding NAAQS.* Within the times specified by paragraph (b)(3)(ix) of this section, the owner(s) or operator(s) shall submit a study to EPA—Region X which accomplishes the following:

(A) Demonstrates that the NAAQS for SO$_2$ are being met in all areas of ambient air within the DLA surrounding the smelting complex;

(B) Corrects the deficiencies in the existing SCS operational manual and SCS implementation plan described in the EPA technical study of the present SCS program as described in paragraph (b)(3)(i) of this section or documents that the EPA study erroneously described such deficiencies;

(C) Demonstrates that ambient SO$_2$ monitors are located (or will be located) in all areas of maximum expected ambient SO$_2$ concentrations that take into account all probable meteorological and operating conditions. For specific locations of maximum expected ambient SO$_2$ concentrations, if the owner(s) or operator(s) can demonstrate in the study that maximum ground-level SO$_2$ concentrations can be predicted through use of alternate techniques then SO$_2$ ambient monitors may not have to be placed at each such respective location: *Provided,* That such respective localities are inaccessible. "Alternative techniques" as used here shall be deemed to be a demonstration through SO$_2$ monitoring and calibrated modelling techniques that the compliance status of each unmonitored location of maximum expected SO$_2$ concentration will be accurately determined from data collected at an alternative monitoring site; and

(D) Failure to timely submit an approvable study shall constitute a violation of this regulation.

(ix) *Required Submissions.* The following items must be submitted to the Administrator within the time limitations shown:

(A) Within two (2) months following the date of promulgation of the final

NSO regulations under section 119 of the Act, the owner(s) or operator(s) shall submit a study plan for the study required by paragraph (b)(3)(viii) of this section; within one (1) month following receipt of such plan the Administrator will provide comments to the owner(s) or operator(s) on such study plan;

(B) Within five (5) months following the date of promulgation of the final NSO regulations under Section 119 of the Act, the owner(s) or operator(s) shall submit a final study plan for the study required by paragraph (b)(3)(viii) of this section which incorporates the EPA comments described in paragraph (b)(3)(ix)(A) of this section;

(C) Within one (1) year following the date of promulgation of the final NSO regulations under section 119 of the Act or the final tall stack regulations under section 123[4] of the Act (whichever is later), the owner(s) or operator(s) shall submit to the Administrator the NAAQS attainment and SO_2 ambient monitor placement study required by paragraph (b)(3)(viii) of this section;

(D) Within eighteen (18) months following the date of promulgation of the final NSO regulations under section 119 of the Act or the final tall stack regulations under section 123 of the Act (whichever is later), the owner(s) or operator(s) shall submit to the Administrator an approvable SCS implementation plan and an approvable SCS operational manual which accomplishes the following:

(*1*) Takes into account the placement of SO_2 ambient monitors in the areas of maximum expected ambient SO_2 concentrations, as specified by paragraph (b)(3)(viii)(B) of this section; and

(*2*) Incorporates the requirements of paragraphs (b)(3)(iii) and (b)(3)(iv) of this section and which remedies the problems identified in the EPA technical study of the present SCS program as described in paragraph (b)(3)(i) of this section; and

(E) Within twenty-four (24) months following the date of promulgation of the final NSO regulations under section 119 of the Act or the final tall stack regulations under section 123 of the Act (whichever is later), the owner(s) or operator(s) shall submit to the Administrator a certification that placement of SO_2 ambient monitors is in accordance with paragraph (b)(3)(viii)(C) of this section.

(x) *Final Conduct of SCS Program.* Upon the Administrator's review and approval of the information submitted under paragraph (b)(3)(ix)(D) of this section, the owner(s) or operator(s) will be required to conduct the SCS program in accordance with a revised SCS operational manual and the revised SCS implementation plan approved herein. Failure of the owner(s) or operator(s) to timely submit an approvable study plan, study, SCS implementation plan or SCS operational manual will constitute a violation of this regulation.

(xi) *SCS Violations.* During the interim conduct of the SCS program as discussed in paragraph (b)(3)(vii) of this section, failure to curtail SO emissions when and as much as indicated by the applicable SCS operational manual or to follow the provisions of the applicable SCS manual and SCS implementation plan shall constitute violation of this regulation if the NAAQS for SO_2 are exceeded as result of such failure. Upon commencement of the final SCS program as discussed in paragraph (b)(3)(x) of this section, failure to curtail SO emissions when and as much as indicated by the revised SCS operational manual or to follow the provisions of the revised manual and SCS implementation plan shall constitute a violation of this regulation. Any violation of the NAAQS for SO_2 in the DLA shall be a violation of this regulation unless EPA determines on the basis of a showing by the owner(s) or operator(s) that:

(A) The smelter owner(s) or operator(s) had taken all emission curtailment action indicated by the SCS operational manual; and

(B) The violation was caused in significant part by emissions of another source(s) which were in excess of the maximum permissible emissions applicable to such source(s).

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[4] These section 123 tall stack regulations were proposed in the FEDERAL REGISTER on January 12, 1979 (44 FR 2608).

(xii) *Continuing Review of the SCS Program.* The owner(s) or operator(s) shall continuously review the design and operation of the SCS program to determine what measures may be available for improving the performance of the system. An annual report shall be submitted to the Administrator by March 1 of each calendar year detailing the results of this review and specifying measures implemented to prevent the recurrence of any ambient SO_2 violations.

(4) *Monitoring, Compliance Reporting and Compliance Determination.* Effective on June 11, 1979, the owner(s) or operator(s) of the subject smelter shall comply with the requirements of paragraph (b)(4) of this section in regard to monitoring, compliance reporting and compliance determination except where such requirement is to be met in accordance with a separate compliance schedule provided for by this regulation:

(i) *SCS Program.* For the SCS program, the owner(s) or operator(s) shall:

(A) Maintain, in a useable manner, records of all air quality measurements made, meteorological information acquired, and emission curtailments ordered (including the identity of the persons making such decisions) during the operation of the SCS. Such records shall be retained for at least two years; and

(B) Submit to the Administrator, on a monthly basis, within fifteen (15) days after the end of each month, all measurements made of air quality and all other information regarding the SCS program that the Administrator may request. Such submission shall include a monthly summary indicating all dates and times when a NAAQS for SO_2 was exceeded or equaled in the DLA.

(ii) *Compliance Monitoring.* For compliance monitoring, the owner(s) or operator(s) shall:

(A) *SO_2 Concentration Monitors.* Install, operate and maintain SO_2 concentration measurement system(s) in accordance with the performance specifications and other requirements contained in Appendix D to 40 CFR Part 52, and the conditions outlined as follows:

(*1*) All SO_2 monitors shall be operated continuously and each monitor shall take and record at least one measurement [7] of SO_2 concentration in each 15 minute period;

(*2*) The sampling point shall be located at least 8 stack diameters (diameter measured at sampling point) downstream and 2 diameters upstream from any flow disturbance such as a bend, expansion, constriction, or flame, unless another location is approved by the Administrator;

(*3*) The sampling point for monitoring emissions shall be in the duct at the centroid of the cross section if the cross sectional area is less than 4.645m^2 (50 ft^2) or at a point no closer to the wall than 0.914m (3 ft.) if the cross sectional area is 4.645m^2 (50 ft^2) or more. The monitor sample point shall be in an area of small spatial concentration gradient and shall be representative of the concentration in the duct; and

(*4*) The SO_2 concentration measurement system(s) shall be subject to the manufacturer's recommended zero adjustment and calibration procedures at least once per 24-hour operating period unless the manufacturer specifies or recommends calibration at shorter intervals, in which case such specifications or recommendations shall be followed. Records of these procedures shall be made which clearly show instrument readings before and after zero adjustment and calibration.

(B) *Gas Volumetric Flow Rate Monitors.* Install, operate and maintain gas volumetric flow rate system(s) in accordance with the performance specifications and other requirements contained in Appendix E to 40 CFR Part 52 and the conditions outlined as follows:

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[7] In the event SO_2 measurements cannot be recorded because monitoring equipment was out-of-service for periodic zero adjustment and calibration or maintenance an arithmetic mean shall be used to determine SO_2 concentration for a given time interval. 75% of the required data will be considered sufficient to calculate a valid arithmetic average.

(*1*) The monitors are to be operated on a continuous basis and must be located at least 8 stack diameters (diameter measured at sampling point) downstream and 2 diameters upstream from any flow disturbance such as a bend, expansion, constriction, or flange, unless another location is approved by the Administrator.

(*2*) The sampling point within the duct shall be representative of the average flow in the duct or at the point specified by the instrument manufacturer.

(*3*) The instrument used to monitor SO_2 gas streams which bypass the lead smelter acid plant shall be adequate to disclose the time of the bypass and its duration.

(*4*) The measurement system(s) shall be subjected to the manufacturer's calibration procedures at intervals recommended by the manufacturer. Records of these procedures shall be made which clearly show instrument readings before and after any adjustments. If manufacturers calibration procedures do not exist procedures will be specified by the EPA.

(C) *Gas Flow Indicating Devices.* Install, operate, and maintain a system to detect the occurrence of situations when any gas is bypassed around an acid plant as specified in paragraph (b)(1)(iv) of this section in accordance with the following conditions:

(*1*) The system design for detecting gas flow shall be approved by the Enforcement Division Director of the EPA Region X;

(*2*) The device shall be located in each flue or duct where gas may bypass an acid plant;

(*3*) The system shall be capable of detecting gas flows as low as 5 percent of the maximum expected flow through each duct; and

(*4*) The system shall be continuously operated and capable of disclosing and recording the time of the bypass and its duration.

(D) *Field Test.* All continuously operated instrumentation required herein shall be field tested after installation. If field test requirements are not specified by the manufacturer EPA will provide test requirements. The Administrator shall be notified at least twenty (20) days prior to that start of the field test period, to affor the Administrator the opportunity have an observer present.

(E) *Certification of Monitors.* Wit the exception of the 168 hour break- period for the SO_2 concentratio measurement system(s), all SO_2 co centration and gas volumetric flo rate and gas flow indicating system(shall be recertified by the owner(s) operator(s) at reasonable intervals requested by the Administrator but no case less frequently than once p year. The Administrator shall be no fied in writing at least twenty (2 days prior to any tests associated wit this requirement so that he may hav an observer present. A report of th results of each test shall be forwarde to the Administrator within sixty (6 days of the completion of each test;

(F) *Continuous Data Recorder.* Th equipment utilized to record the da and parameters measured by contin ous monitoring instrumentation sh meet the following requirements or ternate equivalent requirements as th Administrator may require:

(*1*) Where various parameters are r corded on one strip chart the da must, to the Administrator's satisfa tion, be continuously traced and ea trace be individually and continuous identifiable when the chart is repr duced. In the event a color code system of data recording is utiliz copies of strip chart recordings su mitted to the EPA must also be col coded or include a mathematically r duced tabulation of the data on least 15 minute intervals;

(*2*) The scale for all SO_2 concentr tion readings must be set so that th maximum expected readings will be least 40 percent of full scale;

(*3*) The scale for all gas volumetr flow readings must be set so that th maximum expected readings will be least 80 percent of full scale; and

(*4*) Other requirements regardi data reduction and recording may specified by the Administrator as r quired to enforce this regulation.

(G) All SO_2 concentration, gas vol metric flow rate and gas flow indic ing measurement and recording instr ments shall be maintained on op ational mode and one line at *all* tim except that provision will be made

ing the owner(s) or operator(s)
m monitoring during periods when
nitors break down due to causes
yond the control of the owner(s) of
rator(s). In such an event, the
ner(s) or operator(s) shall notify
e Administrator within three (3)
ys of such a break down and provide
formation as to actions taken during
e instrument malfunction period.
l strip chart recordings of the in-
umentation of paragraphs (b)(1)(iv)
d (b)(1)(v) of this section must be
rked once per shift as to the actual
e a selected recorded measurement
being recorded. Quality assurance
ecks shall be performed on all con-
uous monitoring instrumentation at
e frequency specified by the manu-
cturer or as otherwise reasonably re-
ired by the Administrator;

(H) Maintain, in a useable manner,
ocess strip chart recordings, records
f all measurements accumulated by
e continuous monitoring systems of
agraphs (b)(1)(iv) and (b)(1)(v) of
is section and compliance determi-
tion calculations (measurements) of
agraph (b)(4)(iii) of this section
low. Such information shall be re-
ined for at least two (2) years. The
ministrator or his authorized repre-
ntative shall have reasonable access
these records; and

(I) Maintain, in a useable manner,
ocess strip chart recordings, records
d operators log sheets of plant oper-
ions for a period of at least two (2)
ars. The Administrator or his au-
orized representative shall have rea-
able access to these records.

(iii) *Compliance Determination.* For
mpliance determination, the follow-
g shall apply:

(A) *Acid Plant Tailgas—Continuous
nitors.* Compliance with the re-
irements of paragraph (b)(1)(i)(A)
f this section shall be determined
ing the continuous measurement
stem(s) of paragraph (b)(1)(iv) of
is section installed, calibrated, main-
ined and operated in accordance
th the requirements of paragraph
)(4)(ii) of this section. An hourly
nning 6-hour averaging period shall
mmence at each clock hour and con-
e for a consecutive 6 clock hour
riod. A new hourly running 6-hour
raging period will commence at
every clock hour. For example, in a given day the following typical hourly running 6-hour averaging periods will occur: 2 a.m. to 8 a.m.; 3 a.m. to 9 a.m.; 4 a.m. to 10 a.m.; and 5 a.m. to 11 a.m. *et seq.* Six-hour average SO_2 concentration shall be calculated as of the end of each clock hour for the preceding 6 hours, in the following manner:

(*1*) Divide each 6-hour period into not less than twenty-four (24) equally spaced time intervals;

(*2*) Determine on a compatible basis an SO_2 concentration for each individual time interval.[8] These measurements may be obtained either by continuous integration of all measurements recorded during the time interval or from the arithmetic average of any number of SO_2 concentration readings equally spaced over the time interval. in the latter case, the same number of concentration readings shall be taken in each interval and the readings shall be similarly spaced within each interval; and

(*3*) Calculate the arithmetic average of all interval concentration measurements in each 6-hour period.

(B) *Acid Plant Tailgas—Manual Test.* Notwithstanding the requirements of paragraph (b)(4)(iii)(A) of this section, compliance with the requirements of paragraph (b)(1)(i)(A) of this section shall also be determined by using the methods described below at such times as may be reasonably specified by the Administrator. For any acid plant, a 6-hour average SO_2 concentration shall be determined as follows:

(*1*) The test of each acid plant tailgas SO_2 concentration shall be conducted while the acid plant is operating at or above the maximum rate at which it will be operated and under such other conditions as the Administrator may specify;

(*2*) Concentrations of SO_2 in emissions shall be determined by using Method 8 as described in 40 CFR Part 60. The analytical and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide as well as isokinetic sampling, may be omitted from the over-all test procedure;

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[8] *Supra* note 7.

(*3*) Three independent sets of measurements of SO_2 concentrations shall be conducted during three 6-hour periods for each acid plant. Each 6-hour period will consist of three consecutive 2-hour periods. All tests must be completed within a 72-hour period;

(*4*) In using Method 8, traversing shall be conducted according to Method 1 as described in 40 CFR Part 60. The minimum sampling volume for each 2-hour test shall be 1.132 M^3 (40 ft^3) corrected to standard conditions, dry basis;

(*5*) The velocity of the total effluent from each acid plant evaluated shall be determined by using Method 2 as described in 40 CFR Part 60 of this chapter and transversing according to Method 1. Gas analysis shall be performed by using the integrated sample technique of Method 3 as described in 40 CFR Part 60. Moisture content shall be determined by using Method 4 except that stack gases arising only from a sulfuric acid production unit may be considered to have zero moisture content;

(*6*) The gas sample shall be extracted at a rate proportional to gas velocity at the sampling point;

(*7*) The SO_2 concentration in parts per million-maximum 6-hour average for each stack is determined by calculating the arithmetic average of the results of the three 6-hour test period each consisting of three 2-hour tests; and

(*8*) When necessitated by process variables or other factors, changes to the above test procedures may be approved by the Administrator.

(C) *7-Day Emissions—Continuous Monitoring.* Compliance with the requirements of paragraph (b)(1)(i)(B) of this section shall be determined using the continuous measurement system(s) of paragraph (b)(1)(iv) of this section installed, calibrated, maintained and operated in accordance with the requirements of paragraph (b)(4)(ii) of this section. A daily running 7-day period shall commence at midnight of each day and continue for a consecutive 7-day period. A new daily running 7-day period will commence at midnight of every day. For
example, in a given week the followi
typical daily running 7-day perio
will occur: Tuesday (0000 hours)
Monday (2400 hours); Wednesd
(0000 hours) to Tuesday (2400 hou
and Thursday (0000 hours) to Wedn
day (2400 hours), *et seq.* The SO_2 em
sion rate for a 7-day period shall
calculated on a daily basis (midnig
to midnight) in the following mann

(*1*) Divide each 6-hour period in
not less than twenty-hour (24) equa
spaced time intervals;

(*2*) Determine on a compatible ba
an SO_2 concentration and a stack
flow rate measurement for each in
vidual time interval for each affect
stack.[9] These measurements may
obtained either by continuous integ
tion of SO_2 concentration and st
gas flow rate measurements (from t
respective affected facilities) record
during the time interval or from t
arithmetic average of any number
SO_2 concentration and stack gas fl
rate readings equally spaced over t
time interval. In the latter case, t
number of concentration readin
shall be taken in each time inter
and the readings shall be simila
spaced within each time interval;

(*3*) Calculate the arithmetic aver
(pounds SO_2 per hour) of all inter
emission rate measurements in each
hour period for the zinc plant m
stack and the lead smelter main st
and multiply that arithmetic aver
by the number of time intervals in t
6-hour period; and

(*4*) Calculate the SO_2 emission r
for each consecutive 7-day per
(midnight to midnight) by summi
the twenty-eight (28) 6-hour aver
SO_2 emission rates for each st
measured over a 7-day period.

(D) *Miscellaneous Source SO_2 Em*
sions. The owner(s) or operator
shall perform a manual source test
the SO_2 emissions from the
fuming furnace and any other
emitting process equipment whose
emissions are not routed through t
zinc plant main stack or lead smel
main stack. These emissions will
be used in calculating the 7-day
emissions as described in paragra

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[9] *Supra* note 7.

)(4)(iii)(c) of this section but must submitted to the Administrator on annual basis. The following shall ply to the performance of the nual source test:

(1) Manual source test methods shall in accordance with the procedures tained in Appendix A to 40 CFR rt 60 and as follows:

(i) SO_2 emissions shall be measured Method 8 sampling train; 3 runs of least 60 minutes sampling time per will constitute one manual source t. The minimum sampling volume each 1-hour test shall be 1.15 m^3 6 ft^3) corrected to standard condis, dry basis. The analytical and mputational portions of Method 8 as y related to determination of sulfu- acid mist, as well as the isokinetic mpling, may be omitted from the rall test procedure.

(ii) Sampling will be conducted at a e proportional to gas velocity determed according to Methods 1 and 2.

(iii) Two gas samples will be collect- during each sampling run, accord- to Method 3.

(iv) Moisture content of the gas eam will be determined from the ight gain of the Method 8 train imgers.

(v) When necessitated by process iables or other factors, changes to above test procedures may be apved by the Administrator.

(2) Source tests shall be conducted or before (twelve months following cution of this Agreement) and at ervals specified by the Administra- but in any event not less than once year;

(3) The process(es) tested shall be rated at or above the maximum e at which it will be operated ring the year and under such other ditions as the Administrator may cify; and

(4) The Administrator shall be noti- in writing at least twenty (20) s prior to any such test so that he have an observer present.

5) *Research and Development Pro-m.* Commencing on June 11, 1979, owner(s) or operator(s) of the sub- smelter shall comply with the rements of paragraph (b)(5) of this tion in regard to research and depment. The provisions of this paragraph are intended to be read together with those set forth in paragraph (b)(6) of this section regarding bypass of SO_2 streams during the annual acid plant maintenance period:

(i) *Full Scale Research and Development Program.* Except as provided in paragraph (b)(5)(iii) of this section, the owner(s) or operator(s) shall implement a full scale program to capture and control an SO_2 gas stream which was not controlled as of September 28, 1978. A qualifying program shall meet the requirements of paragraphs (b)(5)(ii), (iv), (v), (vi), (vii) and (viii) of this section, and shall consist of one of two options:

(A) An SO_2 removal facility (flue gas desulfurization system) to capture the weak stream exhausted from the sinter machine; or

(B) Substantially complete recirculation of the sinter machine weak stream[10] and treatment of the resultant gas stream in an SO_2 removal facility.

(ii) *Fuel Scale System Design Criteria.* The following shall constitute the design criteria for the full scale research and development system:

(A) Sinter machine weak stream flue gas desulfurization system:

(*1*) 95 percent SO_2 capture efficiency as determined by monitoring equipment continuously measuring feed gas SO_2 concentration and tail gas SO_2 concentration; and

(*2*) 95 percent on-line availability;

(B) Substantially complete sinter machine weak stream recirculation:

(*1*) Not less than 97 percent partitioning of SO_2 generated in the machine shall be routed to an SO_2 removal facility;

(*2*) Not more than 3 percent partitioning of the SO_2 gas generated in the machine shall be routed to the atmosphere via the tip end gas stream; and

(*3*) The SO_2 capture efficiency of the SO_2 removal facility shall not be impaired because of the additional gas captured through utilization of weak stream recirculation.

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[10] Nothing in this regulation shall be construed to relieve the owner(s) or operator(s) from meeting the requirements of the Clean Air Act or regulations promulgated thereunder regarding construction or modification requirements concerning new sources.

(iii) *Reduced Scale Research and Development Program.* The owner(s) or operator(s) may elect not to perform the full scale research and development program as set forth in paragraph (b)(5)(i) of this section: *Provided,* That:

(A) The owner(s) or operator(s) notify the EPA—Region X, in writing, of such decision no later than June 11, 1980, and provide a detailed account of the reasons for rejection of the full scale research and development program, including all cost and design information considered in the decision;

(B) The owner(s) or operator(s) immediately submit for the Administrator's approval a substitute research and development program, consisting of construction and operation of a flue gas desulfurization system with a minimum volume operating capacity of 5000 SCFM to treat a portion of the weak gas exhausted from the sinter machine or blast furnace;

(C) Such flue gas desulfurization system is constructed and operated in accordance with the requirements of paragraphs (b)(5)(iv), (v), (vi), and (viii) of this section within the time periods specified in paragraph (b)(5)(vii) of this section. The following shall constitute the design criteria for the reduced scale research and development system:

(*1*) 95 percent SO_2 capture efficiency as determined by monitoring equipment continuously measuring feed gas SO_2 concentration and tailgas SO_2 concentration;

(*2*) 95 percent on-line availability;

(*3*) Continuous measurement instrumentation to monitor and record the following:

(*i*) System temperatures, pressures and gas and liquid flow rates;

(*ii*) Feed gas and tailgas SO_2 concentration;

(*iii*) Pressure drop within the system, and

(*iv*) pH and all other critical flue gas desulfurization operating parameters such as liquid make-up and recirculation flow rates;

(*4*) To the extent technically feasible sufficient automatic control instrumentation shall be provided such that the system automatically compensate for feed gas excursions in particulat loading, flow rate and SO_2 concentration while insuring minimum desig criteria are maintained; and

(*5*) To the extent technically feasibl system design and control should b such that correct chemical balance maintained to avoid scaling, corrosio and equipment malfunction.

(D) The flue gas desulfurizatio system shall be operated continuousl except during periods of reasonabl unavoidable equipment failure in a cordance with good engineering pra tice and in a manner such that th project will result in the collection information adequate to determin the economic and technological fea bility of a full scale application such flue gas desulfurization system.

(iv) *Evaluation of the Research an Development Program.* Effective o June 11, 1979, the owner(s) operator(s) shall evaluate the researc and development program and prepar and submit an annual report to th Administrator by March 1 of each ca endar year on the progress of the r search and development project an detailing the following:

(A) Capital, operating and oth costs of the system;

(B) Disposal of by-products (or was material) and associated environme tal impact;

(C) Energy utilization and relat potential effects on energy conserv tion;

(D) The effectiveness of the syste to improve capture of other pollutan of both occupational and environme tal significance;

(E) Problems in system design an suggested methods or actual metho undertaken to improve the design i cluding any anticipated scale-up pro lems;

(F) Maintenance requirements an frequency of system shutdown;

(G) Personnel staffing requiremen

(H) SO_2 capture efficiency as impa ed by process exhaust gas fluctuatio and sinter machine (or blast furna shutdowns; and

(I) Such other related technical i formation as may be reasonably r quired by the Administrator to ass tion in the evaluation of the research and development program.

(v) *System Operation.* The owner(s) or operator(s) shall install and operate the full scale or reduced scale removal facility, whichever it elects, in accordance with good engineering practice and shall make a good faith effort to operate the project continuously, except for periods of reasonably unavoidable malfunction until the expiration date of the first primary nonferrous smelter order or until discontinuance is authorized under paragraph (b)(6)(iii) of this section or by written authorization of the Administrator, and in such manner as will result in the collection of information necessary to determine the economic and technological feasibility of the facility. If technically feasible, system performance must be at the design criteria as specified in paragraph (b)(5)(ii) or (b)(5)(iii) of this section subsequent to its initial break-in period.

(vi) *Sanctions.* Except where the owner(s) or operator(s) have first demonstrated to the satisfaction of the Administrator that due to technical infeasibility design criteria cannot be achieved, departure from the design criteria of paragraphs (b)(5)(ii) and (iii) (as applicable) of this section in the final construction or operation of the research and development program, or failure to meet the compliance schedule and reporting requirements, shall constitute a violation of this regulation.

(vii) *Research and Development Compliance Schedule.* The owner(s) or operator(s) shall comply with the following research and development program compliance schedule:

(A) Complete an engineering evaluation of the full scale and reduced scale research and development systems listed in paragraphs (b)(5)(i) and (b)(5)(iii) of this section and submit a complete report and data to the Administrator on or before June 11, 1980;

(B) Notify the Administrator of the research and development system and the gas stream to be treated on or before June 11, 1980;

(C) Complete all engineering and design work on the research and development system on or before ten months following the notification of paragraph (b)(5)(vii)(B) of this section but in any event not later than April 11, 1981. The Administrator shall be provided with a copy of the engineering design for the technique selected;

(D) Award construction contracts for the SO_2 capture system on or before fourteen months following the notification of paragraph (b)(5)(vii)(B) of this section but in any event not later than August 11, 1981. Such award shall be contingent upon a primary non-ferrous smelter order first being issued to the owner(s) or operator(s);

(E) If the full scale research and development system is selected, complete construction of the SO_2 capture system and begin acceptance testing on or before March 11, 1982; and complete all start-up and acceptance testing of the SO_2 capture system and place such system in service by June 11, 1982; and

(F) If the reduced scale research and development system is selected, complete construction of the flue gas desulfurization system by December 11, 1981, and place such system in service by February 11, 1982.

(viii) *Consent to Access.* The owner(s) or operator(s) shall submit a binding written agreement, signed by a responsible corporate official empowered to do so consenting to:

(A) Grant the representatives and contractors of the EPA access to any information or data employed or generated in the research and development program, including any process, emissions, or financial records which the EPA determines are needed to evaluate the technical or economic merits of the program;

(B) Grant physical access to the representatives and contractors of the EPA to each facility at which such research is conducted; and

(C) Grant the representatives and contractors of the EPA reasonable access to the persons in charge of conducting the program on behalf of the smelter owner for discussions of progress, interpretation of data and results, and any other similar purposes as deemed necessary by the EPA.

(6) *Annual Acid Plant Maintenance Offset.* Commencing on June 11, 1979, the owner(s) or operator(s) of the sub-

ject smelter shall comply with the requirements of paragraph (b)(6) of this section in regard to continued process operation during the period when an acid plant is shutdown for annual maintenance.

(i) *Bypass Prohibition.* Except as provided in paragraph (b)(6)(ii) of this section, the owner(s) or operator(s) shall not operate the lead smelter sinter machine or any zinc plant roaster when any acid plant(s) serving that process is shut down for maintenance.

(ii) *Criteria for Continuing Process Operation.* Excess emissions occurring during the period when the acid plant is shutdown for the annual maintenance period[11] shall not constitute a violation of paragraph (b)(1)(ii) of this section or be included in the computation of the plant wide SO_2 emissions of paragraph (b)(1)(i)(B) of this section, provided that:

(A) The owner(s) or operator(s) commits to install additional SO_2 removal facilities and/or performs process changes to capture a gas stream in accordance with the full scale research and development program requirements of paragraphs (b)(5)(i) and (b)(5)(vii) of this section. If at any time the owner(s) or operator(s) elect not to undertake a full scale qualifying project, excess emissions occurring during the period when the acid plant is shut down for any annual maintenance period shall constitute a violation of this regulation;

(B) The owner(s) or operator(s) provide written notification to the EPA—Region X on or before June 11, 1980, that it will perform the full scale research and development program. During the period prior to such notification, excess emissions occurring when the acid plant is shut down for the annual maintenance period shall not consititute a violation of this regulation. Such continued operation while an acid plant is shutdown for annual maintenance shall not in any event exceed fourteen (14) calendar days per year for each acid plant through and until June 11, 1980.

(C) Commencing with the first twelve (12) month period after the election of a full scale qualifying research and development system under paragraph (b)(5)(i) of this section, and until the system is required to be placed in service under paragraph (b)(5)(vii) of this section, the combined amount of SO_2 which is released by reason of continued process operation during the annual acid plant maintenance period for all 3 acid plants does not exceed the lesser of fourteen (14) days for each acid plant per year or the annual incremental SO_2 capture for which the full scale research and development system is designed.

(D) During the period of time commencing when the full scale research and development system is required to first be placed in service under paragraph (b)(5)(vii) of this section and ending on the expiration date of the first primary non-ferrous smelter order, the following shall apply:

(*1*) No process operation is allowed to continue while the respective acid plant is shut down for its annual maintenance period until and unless the full scale system or process change has operated for the time period specified in paragraph (b)(6)(iii) of this section;

(*2*) During such time period, the full scale system or process change must perform substantially in accord with the system design criteria set forth in paragraph (b)(5)(ii) of this section;

(*3*) The owner(s) or operator(s) must continue to operate the full scale research and development system beyond the time period described in paragraph (b)(6)(iii) of this section and until the expiration date of the first primary non-ferrous smelter order; further the system must perform substantially in accord with the system design criteria set forth in paragraph (b)(5)(ii) of this section; and

(*4*) The combined annual amount of SO_2 which is released by reason of continued process operation during the annual acid plant maintenance period shall not exceed for all 3 acid plants the annual incremental SO_2 capture r which the full scale research and velopment system is designed and perated;

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[11] The term "annual maintenance period" as used herein is defined as the period occurring once (or twice if the catalyst needs to be replaced two times a year) per year for each acid plant when various maintenance functions such as catalyst replacement and heat exchanger cleaning occur. This period normally lasts less than two weeks.

(E) Annual maintenance shall not be rformed simultaneously on the lead elter acid plant and any zinc acid ant or simultaneously on both zinc ant and acid plants. If, under para- aph (b)(5)(i) of this section, a sinter achine flue gas desulfurization stem is installed, annual mainte- ance shall not be performed simulta- eously on the lead smelter acid plant nd the flue gas desulfurization stem; further, the sinter machine ue gas desulfurization system shall eceive the maximum quantity of SO_2 acticable from the sinter machine hen the lead smelter acid plant is hutdown. During annual acid plant aintenance at the zinc plant, the zinc ant acid plant which remains in serv- e shall receive the maximum quanti- y of SO_2 practicable from the operat- g zinc roasters; and

(F) Continued process operation hile an acid plant is shutdown for nnual maintenance shall not in any vent exceed fourteen (14) calendar ays for each acid plant per year.

(iii) *Discontinuance of Full Scale Re- arch and Development Program.* In he event that severe and unavoidable roduction losses are incurred as a irect result of the operation of the ll scale research and development stem or process change during a full ine (9) month period for the flue gas esulfurization system or three (3) onth period for the sinter machine eak stream recirculation, or upon erms otherwise agreed, in writing, by he Administrator, the owner(s) or perator(s) may discontinue operation f the full scale research and develop- ent project provided that:

(A) Notification to the Administra- r of discontinuance of such oper- tion shall be given within one month llowing the expiration of the requi- te period. Such notification shall be ccompanied by a full written justifi- ation of and analysis for the discon- nuance; and

(B) Until the expiration date of the rst primary non-ferrous smelter rder, the lead smelter sinter machine nd any zinc plant roaster shall be shut down during any subsequent annual acid plant maintenance period.

(iv) *Pre-determined SO_2 Emissions.* For the purposes of determining compliance with the design and operating criteria set forth in paragraphs (b)(6)(ii)(C) and (D) of this section, the quantity of incremental SO_2 deemed captured by the full scale qualifying project shall be calculated using a predetermined quantity of SO_2 which is emitted in the relevant gas stream prior to installation of such full scale project. The determination of pre-existing SO_2 emissions shall be as follows:

(A) For the sinter machine weak stream, a value of 15.7 tons of SO_2 per 24 hours of operation shall be used;

(B) For the blast furnace, a value of 18.3 tons of SO_2 per 24 hours of operation shall be used; and

(C) On or before June 11, 1980, if the owner(s) or operator(s) demonstrate to the satisfaction of the Administrator, using manual source test techniques, continuous SO_2 measurement techniques, or equivalent alternatives, that a different pre-existing SO_2 emission value is correct, that value may be substituted for the value(s) listed in paragraphs (b)(6)(iv)(A) and (B) of this section upon agreement of the Administrator.

(7) *Violations*—(i) *Violations of Provisions.* Failure to comply with any provisions of this regulation or with the NSO issued to replace this regulation may subject the owner(s) or operator(s) to enforcement and sanctions as set forth in the Clean Air Act and regulations promulgated thereunder.

(ii) *Violations of NAAQS.* Nothing in this paragraph shall be construed to relieve the owner(s) or operator(s) from liability for violations of the NAAQS.

APPENDIX A—FUGITIVE SULFUR DIOXIDE EMISSION CONTROL PROGRAM AND ITS IMPACT TO TOTAL PLANT EMISSIONS

The total plant emission limitation of paragraph (b)(1)(i)(B) was developed based on historical emission data and included the increase in SO_2 emissions from the main stacks that would likely occur as a result of implementation of the fugitive control program described in paragraphs (b)(1)(vi)(C) (zinc roaster), (b)(1)(vi)(D) (sinter machine), and (b)(1)(vi)(E) (blast furnace). Accordingly, failure of the owner(s) or operator(s) to comply with any of the provisions of the fugitive SO_2 control program will be deemed a violation of this regulation. Compliance will be determined as follows:

a. The zinc roaster program of paragraph (b)(1)(vi)(C) is based on compliance with applicable OSHA lead workplace standards in accordance with the OSHA schedules of compliance;

b. The sinter machine program of paragraph (b)(1)(vi)(D) must ensure complete installation of new stainless steel hooding with the exception of the last two (2) sections of the hood which are not subject to high corrosion on or before June 11, 1980; and

c. The blast furnace program of paragraph (b)(1)(vi)(E) must eliminate 90 percent of the blast furnace upset conditions (currently occurring approximately 20 percent of the time).

EPA inspection of the blast furnace operation will be made to ensure that upset conditions occur no more than an aggregate total of 3.36 hours per any 7-day period. The owner(s) or operator(s) explicitly agree that failure to meet the requirements stated herein at any time subsequent to June 11, 1980, will immediately result in the decrease in the plant wide emission limit in proportion to the amount the objective was not attained. The proportional formula is shown below:

Amount of plant wide emission reduction from the 625 tons per 7-day limit equals:

$$21 \times \left[1 - \frac{33.6 - 2(\,H_u - 3.36)}{33.6} \right]$$

where:

H_u = hours in any 7-day period when the blast furnace is in an upset condition. For the purpose of use in this formula H_u cannot exceed 20.16 hours.

For example, if blast furnace upset conditions occur for 8.36 hours in any 7-day period the plant wide emission limit would be reduced 6 tons per running 7-day period, i.e. the new plant wide emission limit would be 619 tons SO_2 per running 7-days.

[40 FR 53588, Nov. 19, 1975, as amended at 44 FR 72120, Dec. 13, 1979; 45 FR 1419, Jan. 7, 1980; 51 FR 40676, Nov. 7, 1986]

§ 52.677 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since the compliance schedules for the control of sulfur oxides from smelters are not legally enforceable. In addition, the requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for sulfuric acid plants and Kraft pulp mill recovery furnaces.

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are contained in the "Rules and Regulations for the Control of Air Pollution in Idaho."

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Potlatch Forest, Inc [1]	Lewiston	Reg. O, Sec. 3 F.	June 28, 1973	Immediately	Jan. 1, 1974.
Louisiana Pacific Corp	Post Falls	Reg. P, Sec. 2	June 20, 1974	do	June 30, 1975.
Seeds, Inc	Worley	Reg. H	do	do	July 31, 1975.
Merritt Brothers Lumber Co	Priest River	Reg. P, Sec. 2	do	do	June 30, 1975.

[1] Compliance schedules for the recovery furnaces are disapproved and promulgated in paragraphs (c) and (d) respectively of this section.

(c) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are contained in the "Rules and Regulations for the Control of Air Pollution in Idaho."

Source	Location	Regulation involved	Date of adoption
Potlatch Forest, Inc [1].	Lewiston	Reg. O, Sec. 3 E.	June 28, 1973.

Source	Location	Regulation involved	Date of adoption
siana Pacific Corporation.	Priest River	Reg. P, Sec. 2.	June 20, 1974.
ker Hill Co. (portion of compliance schedule regulating particulates).	Kellogg	Reg. E, Reg. H.	June 29, 1973

The compliance schedule for lime kilns is approved in paragraph (b) of this section.

(d) Federal compliance schedules. (1) Except as provided in paragraph (d)(5) of this section, the owner or operator of any Kraft pulp mill subject to the following emission limiting regulation in the Idaho Implementation Plan shall comply with the compliance schedule in paragraph (d)(2) of this section: "Rules and Regulations for the Control of Air Pollution in Idaho," Regulation O, section 3, subsection E (Chapter VII of the Idaho implementation plan).

(2) Compliance schedule for recovery furnaces.

(i) January 1, 1974—Achieve compliance with the applicable regulations, and certify such compliance to the Administrator.

(ii) If a performance test is determined necessary by the Administrator to certify compliance, such a test must be completed by January 15, 1974. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(3)-(4) [Reserved]

(5) (i) None of the above subparagraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

[38 FR 22741, Aug. 23, 1973, as amended at 38 FR 24342, Sept. 7, 1973; 40 FR 10465, Mar. 6, 1975; 41 FR 23203, June 9, 1976; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

§ 52.678 [Reserved]

§ 52.679 Contents of Idaho State implementation plan.

IMPLEMENTATION PLAN FOR THE CONTROL OF AIR POLLUTION IN THE STATE OF IDAHO

- Chapter I—Introduction (submitted 1/15/80)
- Chapter II—Administration (submitted 1/15/80)
- Chapter III—Emissions Inventory (submitted 1/15/80)
- Chapter IV—Air Quality Monitoring (submitted 1/15/80, 2/14/80)
- Chapter V—Source Surveillance (submitted 1/15/80)
- Chapter VI—Emergency Episode Plan (submitted 1/15/80)
- Chapter VII—Approval Procedures for New and Modified Facilities (submitted 4/19/85)
- Chapter VIII—Non-Attainment Area Plans
  - VIII-a—Silver Valley Nonattainment Plan (submitted 1/15/80)
  - VIII-b—Lewiston Nonattainment Plan (submitted 1/15/80, 12/4/80)
  - VIII-c—Transportation Control Plan for the carbon monoxide of Ada County (submitted on 5/24/84, 1/3/85, and 3/25/85)
  - VIII-d—Pocatello TSP Nonattainment Plan (submitted 3/7/80, 2/5/81)
  - VIII-e—Soda Springs Nonattainment Plan (submitted 1/15/80)
- Chapter IX—(Reserved)
- Chapter X—Plan for Maintenance of National Ambient Air Quality Standards for Lead (submitted 2/3/84)

Appendix A—Legal Authority and Other General Administrative Matters (submitted 1/15/80)
Appendix A.2—Section 39-100, Idaho Code (submitted 1/15/80)
Appendix A.3—Rules and Regulations for control of Air pollution in Idaho Manual (submitted 1/15/80, 4/19/85)
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1-1001 Policy (submitted 1/15/80)
1-1002 Definitions (submitted 4/19/85)
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1-1002.02 Actual Emissions
1-1002.03 Adverse Effect on Visibility
1-1002.04 Air Contaminant
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1-1009 Total Compliance (submitted 1/ 15/80)
1-1010 Sampling and Analytical Proce dures (submitted 1/15/80)
1-1011 Provisions Governing Specific A tivities (submitted 1/15/80)
1-1012 Procedures and Requirements f Permits to Construct and Operati Permits (submitted 4/19/85)

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1-1014 Stack Heights and Dispersion Techniques (submitted 4/19/85)
1-1015—1-1050 (Reserved)
1-1051—1-1055 Air Pollution Emergency Regulation (submitted 1/15/80)
1-1056—1-1100 (Reserved)
1-1101 Air Quality Standards and Area Classification (submitted 4/19/85)
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1-1113—1-1150 (Reserved)
1-1151—1-1153 Rules for Control of Open Burning (submitted 1/15/80)
1-1154—1-1200 (Reserved)
1-1201 Visible Emissions (submitted 1/15/80)
1-1202 (Reserved)
1-1203 General Restrictions on Visible Emissions From Wigwam Burners (submitted 1/15/80)
1-1204—1-1205 (Repealed)
1-1206—1-1250 (Reserved)
1-1251—1-1252 Rules for Control of Fugitive Dust (submitted 1/15/80)
1-1253—1-1300 (Reserved)
1-1301 Fuel Burning Equipment—Particulate Matter (submitted 1/15/80)
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1-1305—1-1325 (Reserved)
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1-1327 Emission Limitations (submitted 1/15/80)
1-1328 Allowable Rate of Emission Based on Process Weight Rate—Table (submitted 1/15/80)
1-1329 Particulate Matter—New Equipment Process Weight Limitations (submitted 1/15/80)
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1-1331—1-1350 (Reserved)
1-1351—1-1355 Rules for Sulfur Content of Fuels (submitted 1/15/80)
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1-1401—1-1402 Rules for Control of Fluoride Emissions (submitted 1/15/80)
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1-1505—1-1550 (Reserved)
1-1551—1-1553 Rules for Control of Motor Vehicle Emissions (submitted 1/15/80)
1-1554—1-1600 (Reserved)
1-1601—1-1605 Rules for Control of Hot-Mix Asphalt Plants (submitted 1/15/80)
1-1606—1-1650 (Reserved)
1-1651—1-1662 Rules for Control of Kraft Pulping Mills (submitted 1/15/80)
1-1663—1-1700 (Reserved)
1-1701—1-1704 (Repealed)
1-1705—1-1750 (Reserved)
1-1751—1-1755 Rules for Control of Rendering Plants (submitted 1/15/80)
1-1756—1-1800 (Reserved)
1-1801—1-1804 Rules For Control of Sulfur Oxide Emissions From Sulfuric Acid Plants (submitted 1/15/80)
1-1805—1-1850 (Reserved)
1-1869—1-1899 (Reserved)
1-1900—1-1906 (Repealed)
1-1907—1-1950 (Reserved)
1-1969—1-1999 (Reserved)
Appendix B Emissions Inventory—Ada County Carbon Monoxide Nonattainment Area (submitted 1/15/80)
Appendix G Permits—Silver Valley (submitted 1/15/80)
Appendix H Permits—Lewiston (submitted 12/4/80, 2/5/81)
Appendix J Permits—Pocatello (submitted 3/7/80)
Appendix K Permits—Soda Springs (submitted 1/15/80)
Beker Industries, 1973 Consent Order (40 CFR 52.670(c)(15))-SO_2 Emission Limitation (submitted 7/28/75)
40 CFR Part 52, Subparts A and N

[51 FR 22810, June 23, 1986]

§ 52.680 Attainment dates for national standards.

The following table presents the latest dates by which the national ambient air quality standards are to be attained. These dates reflect the information in Idaho's plan, except where noted.

Air Quality Control Region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lead
	Primary	Secondary	Primary	Secondary				
tern Idaho Interstate	b	e	e	e	a	a	a	a
tern Washington-Northern Idaho Interstate (Idaho):								
1. Shoshone County	b	e	e	e	a	a	a	d
2. Remainder of AQCR (Idaho)	b	e	e	e	a	a	a	a

Air Quality Control Region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lea
	Primary	Secondary	Primary	Secondary				
Idaho Intrastate	e	e	a	a	a	a	a	a
Metropolitan Boise Intrastate:								
1. Boise—Ada County area	e	e	a	a	a	c	a	a
2. Remainder of AQCR	e	e	a	a	a	a	a	a

a. Air quality levels presently below secondary standards.
b. December 31, 1982.
c. December 31, 1986.
d. March 11, 1990.
e. Date not established.

[50 FR 36878, Sept. 10, 1985]

§ 52.681 Permits to construct and operating permits.

(a) Emission limitations and other provisions contained in Permits to Construct or Operating Permits, issued by the State of Idaho Department of Health and Welfare in accordance with the federally-approved *Rules and Regulations for the Control of Air Pollution in Idaho Manual* sections 1-1002 Definitions, 1-1012 Procedures and Requirements for Permits to Construct and Operating Permits, 1-1014 Stack Heights and Dispersion Techniques, and 1-1101 Ambient Air Quality Standards and Area Classifications, except for Operating Permits authorizing the use of alternative emission limits (bubbles) under sections 1-1012.03(a)(1) and 1-1012.09 or compliance schedule extensions under section 1-1012.03(d), shall be the applicable requirements of the federally-approved Idaho SIP (in lieu of any other provisions) for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP.

(b) Operating Permits authorizing the use of alternative emission limits (bubbles) under sections 1-1012.03(a)(1) and 1-1012.09, including the use of banked emission reduction credits pursuant to section 1-1012.10 in a bubble, and operating permits authorizing compliance schedule extensions under section 1-1012.03(d), must be submitted to EPA for approval as revisions to the Idaho SIP before they shall become the applicable requirements of the SIP.

[51 FR 22811, June 23, 1986]

§ 52.682 Maintenance of national standards.

(a) Pursuant to the requirements of § 51.110, paragraphs (h) and (i), of thi chapter, the Administrator, in agreement with the State of Idaho, ha identified no areas that have the potential for violation of the nationa ambient air quality standards withi 10 years.

[40 FR 18734, Apr. 29, 1975, as amended a 51 FR 40676, Nov. 7, 1986]

§ 52.683 Significant deterioration of a quality.

(a) The *Rules and Regulations fo the Control of Air Pollution in Idah Manual,* specifically, sections 1-100 Definitions, 1-1012 Procedures an Requirements for Permits to Construct and Operating Permits, 1-101 Stack Heights and Dispersion Techniques, and 1-1101 Ambient Air Quality Standards and Area Classification are approved as meeting the requirements of Part C for preventing significant deterioration of air quality.

(b) The requirements of sections 16 through 165 of the Clean Air Act ar not met for Indian reservations sinc the plan does not include approvabl procedures for preventing the significant deterioration of air quality o Indian reservations and, therefore th provisions of § 52.21 (b) through (are hereby incorporated and mad part of the applicable plan for Indian reservations in the State of Idaho.

(c) The requirements of section 16 of the Clean Air Act are not met fo sources subject to prevention of signif

ant deterioration requirements prior
o November 1, 1984, since the rules
d regulations cited in (a) above were
t in effect prior to that date. There-
re, the provisions of § 52.21 (b), (c),
), and (h) through (w) are hereby in-
rporated and made part of the appli-
ble plan for sources subject to
52.21 prior to November 1, 1984.

1 FR 22812, June 23, 1986]

2.684 Control strategy: Carbon monoxide.

(a) The transportation control plan
rtion of the Boise-Ada County
rbon monoxide attainment plan re-
ired under Part D of the Clean Air
t is approved.

(b) Until EPA takes final action to
prove or conditionally approve the
rt D carbon monoxide attainment
an for the Boise-Ada County area
ich includes the new source review
ocedures submitted by the State,
e ban on construction of new and
dified major stationary sources re-
ired by section 110(a)(2)(I) of the
ean Air Act as amended, will remain
effect.

(c) The 1982 SIP submission contain-
a revision to the Boise-Ada County
nsportation control plan shall con-
n the following:

(1) An inspection and maintenance
gram.

(2) A strategy insuring that reasona-
e further progress will be met in at-
ing the standards prior to Decem-
r 31, 1987.

FR 70261, Oct. 23, 1980]

2.685 [Reserved]

2.686 Inspection and maintenance program.

(a) EPA is calling for a SIP revision
luding I/M to be submitted by July
1981. Program implementation must
by December 31, 1982 for a decen-
ized approach and no later than
cember 31, 1983 for a centralized
roach.

FR 70261, Oct. 23, 1980]

§ 52.687 [Reserved]

§ 52.688 Rules and regulations.

Stack Height Provisions Conditional Approval. Since section 1-1014 "Stack Heights and Dispersion Techniques" of the *Rules and Regulations for the Control of Air Pollution in Idaho Manual,* prohibits the use of stack heights exceeding good engineering practice, and the use of dispersion techniques, to meet emission limits, but does not include detailed provisions for implementing its provisions, IDHW must ensure that, when approving PSD and other new source review and operating permits, the permits comply with the applicable provisions of EPA's revised stack height regulations (50 FR 27892, July 8, 1985). IDHW must also revise its stack height regulations by April 8, 1985, to be consistent with EPA's revised regulations.

[51 FR 22812, June 23, 1986]

§ 52.689 Lead control strategy: Shoshone County, Idaho portion of the Eastern Washington-Northern Idaho Interstate Air Quality Control Region.

(a) The requirements of section 110 of the Clean Air Act are not met, since the Idaho State Implementation Plan for lead does not include a control strategy which demonstrates attainment for lead in the portion of Shoshone County which immediately surrounds the Bunker Limited lead smelter.

(b) Regulation for the control of lead from the Bunker Limited lead smelter located in Shoshone County in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Air Quality Control Region.

(1) *Applicability.* The provisions of this Section (§ 52.689), except paragraph (b)(4)(iii) of this section, apply at any given time to the owner(s) and operator(s) (and their successors and assigns) of the lead smelter complex located in Shoshone County, Idaho in the Eastern Washington-Northern Idaho Interstate Air Quality Control Region unless the owner(s) (or their successors and assigns) of that smelter officially notify the Environmental Protection Agency (EPA) and the

State of Idaho Department of Health and Welfare (IDHW) that the smelter is permanently closed. The owner(s) of the smelter, as of the effective date of this regulation, is the Bunker Limited Partnership. Hereinafter this facility is referred to as the Bunker Limited Smelter. Paragraph (b)(4)(iii) applies to the State of Idaho.

(2) *Emission Limitations and Emission Control Requirements.* (i) The owner(s) and operator(s) of the Bunker Limited Smelter shall cause emissions of airborne lead from point and building sources associated with the smelter to comply with the emission limits contained in Tables A and B of this section, in accordance with the compliance schedule contained in paragraph (b)(3)(ii). The collected emissions shall be ducted to a stack or stacks with characteristics that will produce equivalent or greater effective plume height than the stack characteristics indicated in Tables A and B of this regulation.

(ii) The owner(s) and operator(s) of the Bunker Limited Smelter shall cause non-process fugitive emissions, including the tailings areas, the ore and other storage areas, the unpaved parking lot, and plant grounds and roadways, to be controlled in accordance with the plan required in (b)(3)(i) by chemical stabilization, water spraying with appropriate runoff collection, resurfacing, sweeping and revegetation. In addition, the ore concentrates and other active or inactive process materials shall be located and/or physically separated so as to minimize wind disturbance.

(iii) The owner(s) and operator(s) may propose, for EPA approval, alternative emission limits or control measures which demonstrate attainment and maintenance of the NAAQS for lead. Submittal and approval of such alternatives shall not affect the requirement for compliance with interim dates contained in paragraph (b)(3) of this section.

(3) *Compliance Schedule.* (i) The owner(s) and operator(s) of the Bunker limited smelter shall apply all non-process fugitive emission controls specified in paragraph (b)(2)(ii) of this section at the time of startup and during any and all periods of smelter operation. A plan identifying all non process fugitive sources, their respec tive control measures and a record keeping system for determining main tenance of control measures, shall be submitted to EPA no later than tw (2) months before startup.

(ii) The compliance schedule dates in paragraphs (b)(3)(ii)(A) through (b)(3)(ii)(G) apply to all emission limits for point (stack) and process fu gitive (building) sources as specified in Table A. The compliance schedul dates applicable to all emission limits for point (stack) and process fugitiv (building) sources as specified in Tabl B shall be twenty-four (24) month later than those in paragraph (b)(3)(ii)(A) through (b)(3)(ii)(G). Th compliance schedule dates in para graphs (b)(3)(ii)(A) throug (b)(3)(ii)(G) shall apply to thos smelter sources which are or will b operated. In the event complianc schedule dates pass before a smelte source is restarted, the owners and op erators (or their successors and a signs) of the smelter must compl prior to the time the smelter sourc begins operation, with those require ments for which compliance schedul dates have passed.

(A) Within twelve (12) months o the effective date of this regulation the owner(s) and operator(s) of th Bunker Limited smelter shall com plete an engineering design plan, de scribing in detail the lead emissio control systems to be used to compl with the requirements of paragrap (b)(2)(i) of this section.

(B) (*a*) Within twelve (12) months o the effective date of this regulatio the owner(s) and operator(s) of th Bunker Limited smelter shall subm to EPA and IDHW a plan detailin source testing, control and proce equipment parameter monitoring, co tinuous emission monitoring, opacit limits, and any other methods to b used to demonstrate continuous com pliance with all requirements of par graph (b)(2) of this section. This pl shall be subject to modification a approval by EPA. For source testin the plan shall include, at a minimum a description of the testing equipme and procedures to be used and th sampling locations, with appropriat

ensions, showing distances to up-
eam and downstream gas flow dis-
bances. Following any modifica-
s deemed necessary by EPA, the
tinuous compliance measures shall
incorporated by rulemaking in this
ulation.

(b) For monitoring of control and
ocess equipment operating param-
ers, the plan shall include, at a mini-
m:

(1) A detailed description of the pa-
meters to be monitored for a given
ocess or control device;

(2) The method by which these pa-
meters will be monitored, and

(3) The method by which a mathe-
tical relationship will be estab-
hed between each such parameter
d the applicable emission limit of
agraph (b)(2) of this section.

r continuous emission monitoring,
e plan shall include a description of
e equipment to be used and the sam-
ing location(s) for each such instal-
ion, with appropriate dimensions,
wing distance to upstream and
nstream gas flow disturbances. All
tinuous emission monitors shall
mply with all applicable provisions
Part 60, Appendix B of this chapter.

(c) The plan shall identify visible
ission limits which, in the belief of
e owner(s) and operator(s) provide
r enforcement through visible emis-
n observations of each of the appli-
le emission limits of paragraph
(2) of this section. The technical
is and justification for each emis-
n limit shall be clearly identified in
s plan. The method for visible emis-
n observations shall be identified as
her Method 9 or Method 22 of Ap-
dix A, Part 60, of this chapter for
h applicable emission limit of para-
ph (b)(2) of this section. Following
modifications deemed necessary
EPA, the visible emission limita-
s shall be incorporated by rule-
king in this regulation.

(C) Within fifteen (15) months of
e effective date of this regulation
e owner(s) and operator(s) of the
ker Limited smelter shall com-
e the award of all contracts and
chase orders necessary for equip-
nt acquisition and plant construc-
n required to implement the engi-
ring design plan.

(D) Within eighteen (18) months of the effective date of this regulation the owner(s) and operator(s) of the Bunker Limited smelter shall begin construction and installation of the facilities and equipment necesary to ensure that lead emissions from the smelter comply with the requirements of this regulation. A prgress report shall be submitted to EPA and IDHW within 24 months of the effective date of this regulation detailing all progress to date. All problems and their resolution shall be clearly described.

(E) Within thirty three (33) months of the effective date of this regulation the owner(s) and operator(s) of the Bunker Limited smelter shall complete construction and installation of all control systems necessary to comply with the requirements of this regulation.

(F) Within three (3) years of the effective date of this regulation the owner(s) and operator(s) of the Bunker Limited smelter shall conduct a test on all sources of lead emissions specified in paragraph (b)(2) and applicable Tables A or B of this section. Such test shall demonstrate compliance with all requirements specified in this regulation. Notice must be given to the Region 10 Administrator of EPA and the Director of IDHW at least thirty (30) days prior to conducting such test, to afford them the opportunity to have observes present. Source text methods and analytical procedures used shall be in accordance with provisions of Part 60, Appendix A, Method 12 of this chapter and all provisions of the test plan submitted under paragraph (b)(3)(ii)(B) of this section above, as approved or modified by EPA.

(G) On and after a date which is three (3) years from the effective date of this regulation, the owner(s) and operator(s) of the Bunker Limited smelter shall cause all emissions of airborne lead from sources associated with the smelter to be in compliance with the requirements of this regulation.

(4) *Compliance Monitoring*—(i) *Annual Source Tests.* (A) Annually, after the initial performance test required in paragraph (b)(3)(ii)(F) of this section, the owner(s) and

operator(s) of the Bunker Limited smelter shall conduct tests of all sources of lead emissions specified in paragraph (b)(2) and applicable Tables A or B of this section. Notice must be given to the Region 10 Administrator of EPA and the Director of IDHW at least thirty (30) days prior to conducting such test to afford them the opportunity to have observers present. Source test methods and analytical procedures shall be in accordance with provisions of Part 60, Appendix A, Method 12 of this chapter and all provisions of the test plan submitted under paragraph (b)(3)(ii)(B) of this section as approved or modified by EPA.

(B) Compliance with emission limits for non-process fugitives, i.e., road dust, stock piles, etc., shall be determined by site inspection and review of records and logs of fugitive dust suppression activity in accordance with the plan required in paragraph (b)(3)(i) of this section.

(C) Results of all source testing and compliance determinations shall be submitted to the Regional Administrator of EPA and the Director of IDHW within thirty (30) days after completion of the test and shall be reported in accordance with the EPA Region 10 Source Sampling Report Format.

(ii) *Record keeping.* The owner(s) and operator(s) of the Bunker Limited smelter shall maintain continuous records of plant process and emission control operations as necessary to determine continuous compliance with the requirements of this regulation. Such records shall include reports of all process and control equipment operating parameter data and continuous emission monitoring data identified in the test plan submitted under paragraph (b)(3)(ii)(B) of this section, as approved or modified by EPA. Suc records shall also include reports of a types of process upsets and emissio control equipment malfunction, detail ing the nature and duration of th upset or malfunction, the expected ef fects on emissions, and the correctiv actions taken or planned to avoid re currence. Such records shall be avail able for inspection by the Region 1 Administrator of EPA and the Direc tor of IDHW or their designated rep resentatives at any time for a period o at least two years. 9

(iii) *Air Quality Monitoring.* T verify attainment and maintenance o the NAAQS outside the plant bounda ry and in other areas of ambient a the Idaho Department of Health an Welfare (IDHW) is directed to submi an air quality monitoring plan to EP within six (6) months from the effe tive date of this regulation, or thre months prior to plant startup, whichever occurs later. The plan will de scribe monitor locations, quality assu ance methods, operational responsibil ities and will contain a detailed sched ule for implementation. All monito ing activity will be conducted in ac cordance with EPA's procedures fo ambient air quality surveillance i Part 58 of this chapter. After approv by EPA, IDHW shall conduct such a quality monitoring as specified in th plan. Monitoring shall begin withi one (1) year of the effective date o this regulation or at the time of plan startup, whichever is later.

(5) *Separability.* If a provision o this Regulation is declared unconstitu tional, or the application thereof t any person or circumstance is held in valid, the constitutionality or validit of every other provision of this Regu lation shall not be affected thereby.

TABLE A—INTERIM EMISSION LIMITS AND EMISSION PARAMETERS FOR LEAD SMELTER

Source	Emission limit (lb/hr)	Emission Parameters [1]				
		Emission height (mAGL)	Exit temperature (°K)	Exit velocity (m/s)	Volume flow (m ³/s)	Stac radiu (m)
Point (Stack) Sources:						
Baghouse for Crushing Plant Building	0.81	24.0	306	18.30	79.00	1.
Baghouse for Blending, Bedding, and Pelletizing Buildings	0.24	24.0	294	18.30	206.00	1

A—INTERIM EMISSION LIMITS AND EMISSION PARAMETERS FOR LEAD SMELTER—Continued

Source	Emission limit (lb/hr)	Emission Parameters [1]				
		Emission height (mAGL)	Exit temperature (°K)	Exit velocity (m/s)	Volume flow (m³/s)	Stack radius (m)
Baghouse for Lurgi Sinter Machine and Sinter Sizing Buildings	0.35	24.0	294	18.30	89.00	1.24
Sinter Product Storage Silos	0.09	30.0	294	1.02	0.71	0.47
Baghouse for Blast Furnace Building	0.09	24.0	300	18.30	11.00	0.44
Baghouse for Lead and Silver Refinery Buildings	0.21	24.0	300	18.30	227.54	1.99
Baghouse for Zinc Fuming Plant Building	0.04	24.0	300	18.30	160.50	1.67
Zinc Fuming Plant Main Stack	0.68	61.6	346	13.59	82.47	1.39
Main Lead Smelter Stack	13.74	61.6	327	18.84	248.80	2.05
Fugitive (Building) Sources:						
Ore Unloading Area	0.270					
Crushing Plant Building	0.021					
Hammermill Building	0.018					
Blending Building	0.240					
Bedding Building	0.486					
Pelletizing Building	0.003					
Sinter Machine Enclosure	0.764					
Sinter Sizing Building	0.178					
Blast Furnace Enclosure	0.295					
Lead Refinery Building	1.701					
Silver Refinery Building	0.177					
Zinc Fuming Plant Balloon Flue	0.155					
Electric Arc Furnace Building	0.190					
ocess Fugitive (Area) Sources:						
Dust Handling of Hoppers from Control Devices	0.590					
Active Tailings and Traffic	0.150					
Ore Storage Area	0.375					
Tailings Area	0.080					
Unpaved Parking Lot	0.006					

ese emission parameters were used in EPA's dispersion model to illustrate achievement of the emission reduction ry to demonstrate attainment of the standard. If other emission parameters are used, they must have characteristics produce equivalent or greater effective plume height than the stack characteristics indicated in Table A.

TABLE B—FINAL EMISSION LIMITS AND EMISSION PARAMETERS FOR LEAD SMELTER

Source	Emission Limit (lb/hr)	Emission Parameters [1]				
		Emission height (mAGL)	Exist temperature (°K)	Exist velocity (m/s)	Volume flow (M³/s)	Stack radius (m)
(Stack) Sources:						
Baghouse for Crushing Plant Building	0.87	24.0	306	18.30	79.00	1.17
Baghouse for Blending, Bedding, and Pelletizing Buildings	0.26	24.0	294	18.30	206.00	1.90
Baghouse for Lurgi Sinter Machine and Sinter Sizing Buildings	0.38	24.0	294	18.30	89.00	1.24
Sinter Product Storage Silos	0.09	30.0	294	1.02	0.71	0.47
Baghouse for Blast Furnace Building	0.10	24.0	300	18.30	11.00	0.44
Baghouse for Lead and Silver Refinery Buildings	0.23	24.0	300	18.30	227.54	1.99
Baghouse for Zinc Fuming Plant Building	0.04	24.0	300	18.30	160.50	1.67
Zinc Fuming Plant Main Stack	0.68	61.6	346	13.59	82.47	1.39
Main Lead Smelter Stack	13.74	61.6	327	18.84	248.80	2.05
Fugitive (Building) Sources:						
Ore Unloading Area	0.089					
Crushing Plant Building	0.007					
Hammermill Building	0.006					
Blending Building	0.079					
Bedding Building	0.160					
Pelletizing Building	0.001					
Sinter Machine Enclosure	0.251					
Sinter Sizing Building	0.056					
Blast Furnace Enclosure	0.097					
Lead Refinery Building	0.558					

TABLE B—FINAL EMISSION LIMITS AND EMISSION PARAMETERS FOR LEAD SMELTER—Continued

Source	Emission Limit (lb/hr)	Emission Parameters [1]				
		Emission height (mAGL)	Exist temperature (°K)	Exist velocity (m/s)	Volume flow (M³/s)	Stack radius (m)
Silver Refinery Building	0.058					
Zinc Fuming Plant Balloon Flue	0.051					
Electric Arc Furnace Building	0.062					
Non-Process Fugitive (Area) Sources:						
Dust Handling of Hoppers from Control Devices	0.194					
Active Tailings and Traffic	0.150					
Ore Storage Area	0.375					
Tailings Area	0.080					
Unpaved Parking Lot	0.006					

[1] These emission parameters were used in EPA's dispersion model to illustrate achievement of the emission reducti necessary to demonstrate attainment of the standard. However, the capture of additional process fugitives will necess entail greater volume flows and therefore, greater effective plume heights and lesser ambient impacts than those modeled. other emission parameters are used, they must have characteristics which produce equivalent or greater effective plume he than the stack characteristics indicated in Table B.

[50 FR 5243, Feb. 7, 1985, as amended at 50 FR 36878, Sept. 10, 1985]

§ 52.690 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of Idaho.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Idaho.

[50 FR 28553, July 12, 1985; 51 FR 23759, July 1, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart O—Illinois

§ 52.720 Identification of plan.

(a) Title of plan: "State of Illinois Air Pollution Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) The plan revision listed below were submitted on the dates specified.

(1) The role of the City of Chicago as a local agent was defined in a letter from the State Environmental Protection Agency on March 13, 1972.

(2) Copies of the Illinois Pollution Control Board Regulations, Chapter 2, Parts I, II and III were submitted Ma 4, 1972, by the Governor.

(3) A document describing the rol of the Chicago Department of Env ronmental Control was submitted Jul 28, 1972, by the State Environmenta Protection Agency.

(4) Copies of the revisions to th State air episode regulations were submitted on August 29, 1972, by the Governor.

(5) Compliance schedules submitte on March 13, 1973, by the Pollutio Control Board.

(6) Compliance schedules submitte on April 3, 1973, by the Pollution Control Board.

(7) Transportation control plan submitted on April 17, 1973, by the Pollution Control Board.

(8) Compliance schedules submitte on May 3, 1973, by the Pollution Control Board.

(9) Compliance schedules submitte on June 15, 1973, by the Pollutio Control Board.

(10) Compliance schedules submitte on August 7, 1973, by the Pollutio Control Board.

(11) Information concerning the co ban in the Chicago area was submitte on October 22, 1973, by Governo Walker.

(12) On July 22, 1976, the Directo of the Illinois Environmental Protection Agency submitted revised emergency episode regulations.

(13) On November 29, 1977, the Di- tor of the Illinois Environmental tection Agency submitted grain ndling and drying emission limita- ns as revisions to Rule 203.

(14) Revision consisting of an Illinois llution Control Board Order issued July 20, 1978 to Commonwealth ison Company, Christian County, inois and submitted on August 14, 78 by the Illinois Environmental tection Agency.

(15) Revision consisting of an Illinois llution control Board Order issued Shell Oil Company's Wood River re- ery on December 14, 1978 by the Il- ois Environmental Protection gency.

(16) On April 4, 1979, the State sub- itted its draft nonattainment area n for all areas designated nonat- inment as of March 3, 1978 and as vised on October 5, 1978. This sub- ittal contained a request for exten- ons of the statutory attainment adline for CO and 03. The submittal so included a vehicle emission in- ection and maintenance program d a new source review plan. Al- ough the State submittal also in- uded the following provisions, U.S. PA is taking no action to include hem in the federally approved SIP at is time: the portions of Rules 101, 3 and 105 relating to the provisions ddressing malfunctions, general re- irements of the Clean Air Act which e not Part D requirements, and the rovisions covering open burning, obile source emission standards, iesel locomotive emission standards, ulfur dioxide emissions for certain el combustion sources located out- de major metropolitan areas, compli- ce dates for organic emission limita- ons, particulate emissions from low rbon waste incinerators, and adop- on of Federal New Source Perform- nce Standards. In addition, U.S. EPA s not rulemaking at this time on those ortions of the following rules which ontain specified changes made be- ween the publication of the notice of roposed rulemaking and the final lemaking action:

(i)-(iii) [Reserved]

(iv) The new materials in Section 11 of the Rules for Issuance of Permits to New or Modified Air Pollution Sources;

(v) The addition of a definition of "reconstruction" in Section 4.7 of the Rules for Issuance of Permits;

(vi) The procedure allowing external offsets contained in Section 10 of the Rules for Issuance of Permits.

(17) On August 29, 1979, the State submitted additional information and clarification for the nonattainment area plan in response to USEPA's July 2, 1979 notice of proposed rulemaking.

(18) On September 20, 1979, the State submitted a summary of public hearing comments on the plan.

(19) On October 30, 1979, the State submitted copies of Illinois Pollution Control Board final orders for control of VOC emissions from stationary sources (Rule 205), sources of fugitive particulate (Rule 203(f)), and particulate emissions from iron and steel sources (Rule 203(d)).

(20) On December 20, 1979, the State submitted a letter containing the dates that most of the regulatory and non-regulatory portions of the nonattainment area plans were finally adopted by the Illinois Pollution Control Board. Rule 205 containing RACT controls for stationary sources of VOC was effective in the State on July 18, 1979. Rule 203(f) governing fugitive dust emissions was effective in the state on September 18, 1979.

(21) On January 25, 1980, the State submitted a copy of finally enacted "Rules for the Issuance of Permits to New or Modified Air Pollution Sources Affecting Nonattainment Areas." Sections 5.1(a)(2)(ii) and 5.1(a)(2)(iii) of these rules were reserved by the State. The effective date of these Rules was January 16, 1980.

(22) On March 21, 1979, the State of Illinois submitted to the USEPA revised regulations for control of sulfur dioxide emissions. On September 19, 1979, the State submitted additional information on these revised regulations to the USEPA.

(23) On January 17, 1980 and on February 7, 1980 the State submitted further information and clarifications to Rule 204.

(24) On September 19, 1979, the State of Illinois submitted a revision to Rule 204(e)(1) for the Common-

wealth Edison Company. The revision approves an emission limitation of 105,162 lbs SO_2/hour for the Kincaid Generating Station in Christian County, Illinois.

(25) On April 30, 1980, the State submitted revisions to the transportation control plan for northeast Illinois (Chicago).

(26) On December 20, 1979, the State of Illinois submitted a revision to provide for modification of the existing air quality surveillance network.

(27) On January 8, 1980, the State submitted an Opinion and Final Order of the Pollution Control Board (dated November 19, 1979) which deletes Rule 206(d) of Chapter 2 from the Illinois Air Pollution Control Regulations.

(28) On September 18, 1979, the State submitted a Final Order of the Pollution Control Board (dated April 12, 1979) which amended Rule 205(g)(1) of Chapter 2 of the Illinois Air Pollution Control Regulations.

(29) On July 21, 1981, the State submitted Volume 9 Lead, of the Illinois State Implementation Plan for Air Pollution Control for incorporation in the Illinois State Implementation Plan. This plan covers all areas in Illinois except for Granite City in the St. Louis Interstate AQCR.

(30) On July 29, 1980, the State submitted a May 29, 1980, Opinion and Order of the Illinois Pollution Control Board granting a variance from the requirements Rule 203(d)(8)(B) of Chapter 2 of the Air Pollution Control Regulations to Continental Grain Company's grain elevator located in Crossville, White County, Illinois. This variance expired July 1, 1980.

(31) On April 4, 1980, the State submitted a November 29, 1979, Opinion and Order of the Illinois Pollution Control Board (IPCB) and Supplementary IPCB Orders dated January 24, 1980, and February 7, 1980. These Orders grant 13 Caterpillar Tractor Company boilers a variance from the requirements of IPCB (A), Rule 203(g)(1)(C)(i) and/or Rule 203(g)(1)(D) which regulate particulate emissions from new and existing sources. No action is taken at this time on variance provisions for Mapleton facility boilers #2, 3, 4, and 5. This variance expired on October 8, 1981.

(32) On August 31, 1981, the State of Illinois submitted a revision to the Illinois State Implementation Plan in the form of a July 9, 1981, Order of the Illinois Pollution Control Board (R-77-15). This Order creates Rule 204(c)(1)(E) which establishes sulfur dioxide (SO_2) emission limitations of 5.5 lbs/SO/MMBTU for solid fuel combustion sources having actual heat input not greater than 250 million BTU's per hour owned or operated by Bemis Company, Inc., Celotex Corporation or Sherex Corporation. On November 17, 1981, the State submitted additional information in support of this revision.

(33) On August 20, 1980, and March 20, 1981, the State submitted additional information on the transportation control plans for the Northeast Illinois (Chicago) Area.

(34) On October 15, 1980, the State submitted additional information on the transportation control plans for the Peoria Metropolitan Area.

(35) On April 1, 1981, the State submitted additional information on the transportation control plans for the St. Louis Metropolitan (Illinois) Area.

(36) On December 10, 1980, the State submitted a July 24, 1980, Opinion and Order of the Illinois Pollution Control Board and a September 18, 1980, Order of the Board granting Bunge Corporation's Cairo, Illinois soybean processing plant and grain elevator variance from Illinois Pollution Control Board's particulate emission standards under Rules 203(g)(1)(D) and 103(b)(1) of Chapter 2 of the Air Pollution Control Regulations through October 15, 1981.

(37) On July 17, 1980, the State submitted an April 3, 1980, Opinion and Order of the Illinois Pollution Control Board adopting a December 13, 1979 Proposed Opinion and Order of the Board which exempted certain small explosive waste incinerators from the requirements of Rule 203(e) Particulate Emission Standards and Limitations for incinerators and Rule 206(b Carbon Monoxide Emissions Standards and Limitations for incinerators.

DITORIAL NOTE: At 47 FR 42734, Sept. 29,
2, the following paragraph (c)(37) was
ded to § 52.720. This paragraph will be
rectly designated by an EPA document
blished in the FEDERAL REGISTER at a later
te.

(37) On July 29, 1982, the State sub-
itted a revision to the Illinois State
plementation Plan in the form of a
ay 28, 1981, Illinois Pollution Con-
ol Board (IPCB) Final Opinion of
e Board (R78-17). This Final Opin-
n deletes Rule 204(c)(1)(D) and the
ference to it in Rule 204(h) from the
PCB Air Pollution Control Regula-
ons.

(38) On May 10, 1982, the State sub-
itted a February 4, 1982, Illinois Pol-
tion Control Board Opinion and
rder (PCB 81-184) granting a vari-
nce from the requirements of Rules
5(m)(1)(B) and 204(n)(1)(G) of
hapter 2 of the Air Pollution Control
egulations to the Lyon Metal Prod-
ts, Incorporated, Montgomery, Illi-
ois facility. This variance expires on
ay 31, 1985.

(39) On October 1, 1981, the State
bmitted a report in satisfaction of
e Total Suspended Particulate Con-
ol Strategy approval condition in
hich the State agreed to conduct an
alysis of the potential air quality
pact from storage piles with uncon-
olled emissions of less than 50 tons
r year, to submit the results of any
alysis to EPA, to submit any neces-
ry regulations to the Illinois Pollu-
on Control Board, and promulgate
nd submit any necessary regulations
EPA. This report concluded that no
rther regulations were needed.

(40) EPA Study Volatile Organic
ompound Emissions from Solvent
leaning Operations in the State of Il-
nois (EPA 905/4-80-008) was pre-
ared to satisfy the Ozone Control
trategy approval condition in which
e State agreed to conduct a study to
emonstrate that the three pound per
our, 15 pound per day exemption for
lvent metal cleaners contained in
ule 205(k) represents RACT, to
bmit the results of the study to
PA, to submit the necessary regula-
ons to the Illinois Pollution Control
oard and promulgate and submit any
ecessary regulations to EPA. The
tate reviewed this report and in a
February 11, 1981, letter to EPA noted their agreement with the findings of the report and indicated that because there was no need for further regulations, this condition is satisfied.

(41) On December 7, 1981, the State submitted a October 8, 1981, Illinois Pollution Control Board Final Order (R79-11). This Final Order amends Rule 203(g)(1) by adding subsection (E).

(42) On January 4, 1983, the State submitted a revision to the Illinois State Implementation Plan in the form of an October 27, 1982, Illinois Pollution Control Board (IPCB) Opinion and Order (PCB 82-88). This Opinion and Order grants a variance from the requirements of Rule 203(a) of Chapter 2 of the Air Pollution Control Regulations to a proposed fluidized bed combustion boiler at B.F. Goodrich's Henry County, Illinois facility. This variance continues until October 1, 1987, or until the facility is no longer subject to Rule 206(a), whichever comes first.

(43) [Reserved]

(44) On March 17, 1983, the Illinois Environmental Protection Agency (IEPA) submitted a revision to its ozone SIP for Chrysler's Belvidere facility. The revision request contains an alternative compliance time schedule with interim emission limitations which is in the form of a variance for prime coating and prime surface coating operations. Final compliance is changed from December 31, 1982 to December 31, 1987.

(45) On August 19, 1983, the State of Illinois submitted a revision to the Illinois State Implementation Plan in the form of a July 26, 1983, Order of the Illinois Pollution Control Board (R82-12). This Order creates Rule 313 which establishes 1.5 micrograms per cubic meter, maximum arithmetic mean, averaged over a calendar quarter as the State's ambient air quality standard for lead. The Board also adopted, as part of Rule 313, a measurement method for determining compliance with the standard.

(46) On August 15, 1983, the Illinois Environmental Protection Agency submitted a May 19, 1983, Opinion and Order (PCB-82-147) of the Illinois Pollution Control Board (IPCB) grant-

ing Del Monte Corporation's Can Manufacturing Plant No. 115 located in Rochelle, Ogle County, Illinois a variance from the IPCB volatile organic compound emission standards under Rule 205(n)(1)(B)(i) and Rule 205(n)(1)(B)(vi) of Chapter 2: Air Pollution Regulations. The variances expires on December 31, 1984.

EDITORIAL NOTE: At 49 FR 31686, Aug. 8, 1984, the following paragraph (c)(46) was added to § 52.720. This paragraph will be correctly designated by an EPA document published in the Federal Register at a later date.

(46) On March 24, 1983, and May 3, 1983, the State submitted information that indicated that a February 21, 1980 (45 FR 11472), conditional approval of the incorporation of a revised Part D sulfur dioxide control strategy into the Illinois State Implementation Plan has been satisfied for Cincinnati, Pekin and Elm Grove Townships in Tazewell County and for Logan and Limestone Townships in Peoria County. This approval condition required that the SIP include a reanalysis of the Pekin, Illinois area; a submittal of the analysis results to USEPA; the proposal of any necessary regulations to the Illinois Pollution Control Board necessary to insure attainment and maintenance of the sulfur dioxide standard; and the promulgation of any necessary regulations. Any promulgated regulations must be submitted to USEPA.

(47)—(49) [Reserved]

(50) On May 3, 1983, the State requested that USEPA incorporate IPCB Rule 204(f)(2) into the Illinois SIP. Rule 204(f)(2) was adopted by Illinois as part of a February 24, 1983, Order of the Board (R80-22). USEPA approves the incorporation of Rule 204(f)(2) as it pertains to Pekin Energy, a source in the Peoria major metropolitan area.

(51) On January 30, 1984, the State submitted Rule 204(f) as contained in a February 24, 1983, Order of the IPCB (R80-22) as it applies to sources in the Peoria Major Metropolitan area for incorporation in the SIP. USEPA approves the incorporation of Rule 204(f) into the SIP as it applies to all sources in Peoria and Tazewell Counties except Caterpillar Tractor Mapleton and East Peoria Plants. No actio is taken on Rule 204(f) as it applies t the Chicago or St. Louis (Illinois—por tion) Major Metropolitan Areas or o Rule 204(f) (1) and (2).

(52) [Reserved]

(53) On September 30, 1983, th State submitted a revision to the Ill nois State Implementation Plan in th form of a lead plan to assure attain ment and maintenance of the NAAQ in the Granite City area. The Illinoi plan includes a discussion of air qual ity data measured since 1978, an emis sion inventory of three source catego ries capable of emitting lead, atmos pheric modeling analyses and pro posed necessary control strategies. O March 19, 1984, the State submitte five consent decrees entered by th State of Illinois with the Circuit Cour for the Third Judicial Circuit of Madi son County and filed March 16, 198 for incorporation in the lead plan These include *People of the State of Il linois* vs. *Taracorp, Inc.; People of th State of Illinois* vs. *St. Louis Lead Re cyclers; People of the State of Illinoi* vs. *First Granite City National Ban People of the State of Illinois,* v *Stackorp Inc.;* and *People of the Stat of Illinois* vs. *B.V. and G.V. Transpor Company.*

(54) [Reserved]

(55) On November 14, 1985, th State of Illinois submitted a negativ declaration for natural gas/gasolin processing plants.

(i) Incorporation by reference.

(A) Letter dated November 14, 198 from Michael J. Hayes, Manager, Divi sion of Air Pollution Control, Illinoi Environmental Protection Agency.

(56) On June 19, 1984, the State sub mitted Illinois Environmental Protec tion Agency Rule 252 entitled, "Rule for Governing Public Participation i the Air Pollution Permit Program fo Major Source in Nonattainment Areas."

(i) Incorporation by reference

(A) Illinois Environmental Protec tion Agency Rule 252 entitled, "Rul for Governing Public Participation i the Air Pollution Permit Program fo Major Sources in Nonattainmen Areas," published on June 8, 1984.

(57)—(60) [Reserved]

(61) On March 15, 1984 and June 14, 84 the Illinois Environmental Pro- ction Agency submitted commit- nts for satisfying several outstand- g conditions to the sulfur dioxide 2.724(a)(1)] State Implementation an.

(62) On January 16, 1985, the Illinois vironmental Protection Agency sub- itted a variance from Illinois Rule 6(a).

(i) Incorporation by reference.

(A) June 14, 1984, Opinion and rder of the Illinois Pollution Control oard (IPCB), PCB 84-19. This is a riance from Illinois Rule 206(a) til June 14, 1987, for CO emissions om a fluidized bed combustion boiler Midwest Solvents Company's facili- y in Tazewell County, Illinois.

(63) On February 6, 1985, the Illinois vironmental Protection Agency EPA) submitted a site-specific revi- n to its total suspended particulates ate Implementation Plan for Villa rove's "Dump and Boot Pit" emis- ns in Champaign County, Illinois.

(i) Incorporation by reference.

(A) Illinois Pollution Control Board, pinion and Order of the Board, PCB 4-53, Villa Grove's "Dump and Boot t" site-specific TSP revision. This re- ion extends the compliance date for ntrol requirements on these emis- ns until September 1, 1987, and was opted on July 14, 1984.

(64) On May 13, 1985, the Illinois vironmental Protection Agency EPA) submitted a variance from Illi- is Rule 202(b) for a Brule pathologi- l waste incinerator (BPWI) at PWC's facility located at the Great kes Naval Base, Great Lakes, ields Township, Illinois, as a revi- n to its TSP SIP. Shields Township an attainment area for both the pri- ry and secondary national ambient quality standards (NAAQS) for P.

(i) Incorporation by reference.

(A) Opinion and Order of the Illinois llution Control Board 84-156 adopt- d on March 22, 1985.

(65) Submitted from the Illinois En- onmental Protection Agency EPA) dated July 22, 1985, requesting extended compliance schedule for ecision Coatings Incorporated (PCI) ating Machine Number 2.

(i) Incorporation by reference.

(A) Illinois Pollution Control Board Opinion and Order of the Board, PCB 84-117, which was adopted on February 20, 1985, and a modification to PCB 84-117 which was adopted on April 14, 1985.

(66) On March 27, 1985, the Illinois Environmental Protection Agency (IEPA) submitted a site-specific revision to its Carbon Monoxide State Implementation Plan for Anderson Clayton Foods, Inc. (ACF), a variance from 35 Illinois Administrative Code (IAC) 216.121 which governs Carbon Monoxide emissions from the Fluidized Bed Combuster retrofitted boiler at ACF's Jacksonville, Illinois facility. IAC 216.121 was incorporated in the Illinois SIP on May 31, 1972 (37 FR 10862), as Illinois Pollution Control Board Rule 206(a).

(i) Incorporation by reference.

(A) Illinois Pollution Control Board Opinion and Order of the Board, PCB 84-147, which was adopted on January 24, 1985.

(67) On April 18, 1983, the State of Illinois submitted a 0.60 lb TSP/MMBTU emission limit for the City of Rochelle Municipal Steam Power Plant. On May 24, 1985, it submitted a revised modeling analysis.

(i) Incorporation by reference.

Illinois Pollution Control Board Order (R78-15), Rule 203(g)(1)(C)(iii) which is dated February 24, 1983.

(68) On May 8, 1985, the Illinois Environmental Protection Agency submitted a variance until December 31, 1987, from Illinois Rule 205(n)(1)(b)(v) and Rule 205(n)(1)(b)(vi), for American Can Corporation's Hoopeston, Illinois facility in the form of a January 24, 1985, Opinion and Order of the Illinois Pollution Control Board (PCB 84-106).

(i) Incorporation by reference. (A) A January 24, 1985, Opinion and Order of the Illinois Pollution Control Board (ICPB), PCB 84-106. This is a variance until December 31, 1987, for the coating reformulation programs at American Can Corporation's Hoopeston facility located in Hoopeston, Illinois.

(69) On January 28, 1983, the Illinois Environmental Protection Agency submitted a December 30, 1982, Illinois Pollution Control Board Order (R80-

5). Illinois Pollution Control Board Rules 205(l) (4) through (10), 205(t) and 205(u) are approved.

(i) *Incorporation by reference.* (A) Ilinois Pollution Control Board Rules 205(l)(4) through (10), 205(t) and 205(u) as contained in December 30, 1982, Illinois Pollution Control Board Order R80-5.

(ii) *Additional material*—none.

(70) On February 13, 1986, the Illinois Environmental Protection Agency (IEPA) submitted a revision to its ozone SIP for the Fedders-USA's facility located in Effingham, Effingham County, Illinois. It grants Fedders-USA a compliance date extension for VOC control requirements from October 1, 1982, to April 1, 1986, and provides for a legally enforceable compliance program.

(i) *Incorporation by reference.* (A) A January 9, 1986, Opinion and Order of the Illinois Pollution Control Board (IPCB), PCB 83-47.

(71)-(72) [Reserved]

(73) On May 6, 1985, the Illinois Environmental Protection Agency, requested an extended compliance schedule for National Can Corporation's Rockford facility.

(i) Incorporation by reference.

(A) Illinois Pollution Control Boa April 1, 1982, Opinion and Order the Board, PCB 81-189 and a Janua 24, 1985, Opinion and Order PCB 8 108. These orders grant National C Corporation (Rockford Plant) a va ance from the existing VOC SIP quirements from December 31, 19 until December 31, 1983, and from D cember 31, 1983, until December 1985, respectively.

(74) On October 30, 1986, the Illin Environmental Protection Agency su mitted a September 25, 1986, Fin Order of the Illinois Pollution Cont Board R85-33 revises the State's co oven pushing and charging rules a recodifies some related rules.

(i) Incorporation by reference. (Order of the Illinois Pollution Cont Board R85-33, which was adopted Se tember 25, 1986.

[37 FR 10862, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER tations affecting § 52.720, see the List CFR Sections Affected in the Finding Ai section of this volume.

§ 52.721 Classification of regions.

The Illinois plan was evaluated the basis of the following classific tions:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozo
Burlington-Keokuk Interstate	I	I	III	III	
East Central Illinois Intrastate	III	II	III	III	
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	
Metropolitan Dubuque Interstate	I	III	III	III	
Metropolitan Quad Cities Interstate	I	III	III	III	
Metropolitan St. Louis Interstate (Missouri-Illinois)	I	I	III	I	
North Central Illinois Intrastate	II	IA	III	III	
Paducah (Kentucky)-Cairo (Illinois) Interstate	I	II	III	III	
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate	II	III	III	III	
Southeast Illinois Intrastate	III	II	III	III	
West Central Illinois Intrastate	I	IA	III	III	

[37 FR 10862, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 11493, Feb. 1980]

§ 52.722 Approval status.

With the exceptions set forth in this subpart, the Administrator approved Illinois' plan for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthe more, the Administrator finds th plan satisfies all requirements of Pa D, Title I of the Clean Air Act amended in 1977, except as not below. In addition, continued satisf tion of the requirements of Part D fo e ozone portion of the SIP depends the adoption and submittal of CT requirements by July 1, 1980 the sources covered by CTGs be- en January 1978 and January 1979 d adoption and submittal by each sequent January of additional CT requirements for sources cov- d by CTGs issued by the previous uary.

FR 11493, Feb. 21, 1980]

2.723 Extensions.

(a) The Administrator hereby ex- ds until December 31, 1987 the at- nment date for the national stand- s for CO and 03 in the Northeast- Illinois (Chicago) nonattainment a.

(b) The Administrator hereby ex- ds until December 31, 1987 the at- nment date for the national 03 ndard in the Illinois portion of the Louis Metropolitan nonattainment a.

FR 11493, Feb. 21, 1980]

2.724 Control strategy: Sulfur dioxide.

(a) Part D—Conditional Approval— e Illinois plan is approved provided t the following condition is satis- d:

(1) The plan includes a reanalysis of e Pekin, Illinois area, a submittal of e analysis results to USEPA, the proposal of any additional regulations to the Illinois Pollution Control Board necessary to insure attainment and maintenance of the sulfur dioxide standard, and the promulgation of any necessary regulations. The State must complete the reanalysis, submit the results to USEPA and submit any necessary, additional regulations to the Illinois Pollution Control Board by September 30, 1980. Any necessary regulation must be finally promulgated by the State and submitted to USEPA by September 30, 1981.

(2) Extension of Condition—USEPA approves the date of July 1, 1984 for submitting the draft sulfur dioxide rule revisions and supporting documentation as required in (a)(1) for Peoria, Hollis and Groveland Townships in Illinois. The State must complete final rule adoption as expeditiously as possible but no later than December 31, 1985.

(b) Part D—Disapproval—USEPA disapproves Rules 204(c)(1)(B), Rule 204(c)(1)(C), Rule 204(e)(1) and Rule 204(e)(2) for those sources for which these rules represent a relaxation of the federally enforceable State Implementation Plan. Rule 204(c)(1)(B), Rule 204(c)(1)(C), Rule 204(e)(1) and Rule 204(e)(2) are approved as not representing relaxations of the State Implementation Plan for the following sources:

RCES OF 10 MILLION BTU PER HOUR OR MORE NOT INCREASING ALLOWABLE SULFUR DIOXIDE EMISSIONS AS A RESULT OF RECORD RULES 204(C) AND 204(E) BECAUSE NEW ALLOWABLE EMISSIONS RATE IS SAME AS OR LESS THAN OLD ALLOWABLE RATE POUNDS PER HOUR (POUNDS PER MILLION BTU)

County	Name	Emissions formerly allowable [1]	Emissions now allowable without new permit application [2]
ne	Chrysler	1,760 (4.4)	1,760 (4.4)
paign	Chanute Air Base	1,317 (3.0)	1,317 (3.0)
ford	CIPS	8,242 (5.1)	8,242 (5.1)
glas	USI Chemicals	8,022 (5.3)	8,022 (5.3)
lin	Freeman Coal	22.2 (1.2)	22.2 (1.2)
Salle	Del Monte	296 (3.9)	296 (3.9)
ssac	EEI Joppa	36,865 (3.6)	36,865 (3.6)
gomery	CIPS	55,555 (5.8)	55,555 (5.8)
gan	do	24,000 (6.0)	20,800 (5.2)
tam	Illinois Power	17,051 (5.8)	17,051 (5.8)
dolph	do [3]	81,339 (4.6)	81,339 (4.6)
k Island	International Harvester	1,643 (4.35)	1,643 (4.35)
mson	Marion Correctional	396 (5.7)	396 (5.7)

[1] 6.0 lbs/MMBTU of existing coal fired capacity or total 204(e)(2) emissions less actual oil fired and NSPS emission whichever is lower.

[2] Maximum allowable emissions for existing coal fired capacity according to revised rules 204(c) and 204(e) consolida usually equally equalling total emissions as given by 204(e)(2) less actual oil fired NSPS emissions. (In the one case wher the new allowable limit is less than that given by 204(e)(2) the allowable emissions were determined by 204(e)(1) with whic the source is required to comply.)

[3] Source is in compliance per 204(e)(3).

CIPS = Central Illinois Public Service.
EEI = Electric Energy Incorporated.

This disapproval does not in and of itself result in the growth restrictions of section 110(a)(2)(1).

(c) Disapproval—USEPA disapproves Rule 204(e)(4) as not being adequate to protect the NAAQS. This disapproval does not in and of itself result in the growth restrictions of section 110(a)(2)(I).

(d) Disapproval—USEPA disapproves Rule 204(f)(1)(D) as completely deregulating SO_2 emissions from existing processes without providing an assessment of the ambient air quality impact or a showing that increasing the allowable emissions from these sources will not cause or contribute to violations of the NAAQS or PSD increments. This disapproval does not in and of itself result in the growth restrictions of section 110(a)(2)(I).

(e) Disapproval—USEPA disapproves Rule 204(h) for those sources for which USEPA has disapproved rules 204(c) and 204(e). This disapproval does not in and of itself result in the growth restrictions of section 110(a)(2)(I).

(f) Approval—USEPA approves rule 204(e)(3) for those sources able to show that the proposed emission rate will not cause or contribute to a violation of the NAAQS. The State must submit these emission limitations, along with the technical support to USEPA for approval.

[45 FR 62806, 62809, Sept. 22, 1980, as amended at 50 FR 5250, Feb. 7, 1985]

§ 52.725 Control strategy: Particulates.

(a) [Reserved]

(b) Part D—Disapproval. (1) U.S. EPA disapproves the provisions of Rule 203(f) which allow the use of an equivalent method without review and approval of that method. Any source subject to Rule 203(f) which chooses to use an equivalent method must have that equivalent method submitted to U.S. EPA and approved as a SIP revision.

(2) U.S. EPA disapproves the follow ing portions of Rule 203(d)(5) which regulate the control of particulat matter from specific sources withi the iron and steel industry: Rul 205(d)(5)(B)(ii), Rule 205(d)(5)(B)(iii) Rule 205(d)(5)(D), and Rul 205(d)(5)(K).

(3) USEPA disapproves a propose SIP revision submitted by the State o May 12, 1982, in the form of a May 1 1981 Consent Decree (Civil Action 81 3009) to which USEPA, Illinois Environmental Protection Agency and National Steel Corporation are partie and a draft Alternative Control Strategy Permit. This submission was modified by the State, September 30, 1982 with the submission of a separate document embodying the elements of th Alternative Control Strategy. Thi separate document was intended t become an enforceable part of th SIP.

[45 FR 11493, Feb. 21, 1980, as amended a 46 FR 44185, Sept. 3, 1981; 47 FR 2682 June 21, 1982; 48 FR 45246, Oct. 4, 1983; 4 FR 1905, Jan. 16, 1984]

§ 52.726 Control strategy: Ozone.

(a) Part D—Conditional Approval— The Illinois plan is approved provide that the following conditions are satis fied:

(1) [Reserved]

(2) The State conducts a study t demonstrate that the 75 percent over all control efficiency requirement i Rule 205(n) represents RACT, submit the results of the study to USEPA and submits any necessary regulation representing RACT to the Illinois Pol lution Control Board. The State mus comply with these conditions by Feb ruary 28, 1981. Any necessary regula tions must be finally promulgated b the State and submitted to USEPA b February 28, 1982.

(3) Extension of Condition—USEPA approves the date of July 31, 1984 fo the State of Illinois to satisfy the con

ion of approval to the ozone State plementation Plan listed in paragh (a)(2) of this section.

b) Disapproval—USEPA disapves the compliance schedule in le 205(j) as it applies to loading k controls for all emission sources ject to Rule 205(b)(1), as approved USEPA on May 31, 1972 which re required to be in compliance by cember 31, 1973. This disapproval s not in and of itself result in the wth restrictions of section (a)(2)(I).

c) *Negative Declarations—Station-Source Catagories.* The State of Ilis has certified to the satisfaction USEPA that no sources are located the nonattainment areas of the te which are covered by the follow-Control Technique Guidelines:

(1) High density polyethylene and polypropylene manufacturers.

(2) Vegetable oil processing sources with volatile organic compound emissions equal to or greater than 100 tons per year.

[45 FR 55197, Aug. 19, 1980, as amended at 45 FR 62810, Sept. 22, 1980; 47 FR 26620, June 21, 1982; 50 FR 5250, Feb. 2, 1985; 52 FR 26012, July 10, 1987]

§ 52.727 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect information presented in Illinois' plan, except where noted.

ir quality control region and nonattainment area	Pollutant						
	TSP		SO₂		NO₂	CO	O₃
	Primary	Secondary	Primary	Secondary			
gon-Keokuk Interstate (AQCR 65):							
Primary and Secondary Nonattainment Areas	e	g	e			e	e
Remainder of AQCR	c	c	c	c	c	c	c
Central Illinois Intrastate (AQCR							
Primary and Secondary Nonattainment Areas		g					e
Remainder of AQCR	c	c	c	c	c	c	c
politan Chicago Interstate (Indiana-) (AQCR 67):							
Primary and Secondary Nonattainment Areas	e	g			e	f	f
Remainder of AQCR	c	c	c	c	c	c	c
politan Dubuque Interstate (AQCR							
Primary and Secondary Nonattainment Areas		g					
Remainder of AQCR	c	c	c	c	c	c	c
politan Quad Cities Interstate CR 69):							
Primary and Secondary Nonattainment Areas	e	g					e
Remainder of AQCR	c	c	c	c	c	c	c
politan St. Louis Interstate (Missou-) (AQCR 70):							
Primary and Secondary Nonattainment Areas	e	g					f
Remainder of AQCR	c	c	c	c	c	c	c
Central Illinois Intrastate (AQCR							
Primary and Secondary Nonattainment Areas	e	g					e
Remainder of AQCR	c	c	c	c	c	c	c
(Kentucky)-Cairo (Illinois) Inter- (AQCR 72):							
Primary and Secondary Nonattainment Areas		g	e	g			
Remainder of AQCR	c	c	c	c	c	c	c

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_x		NO_x	CO	O
	Primary	Secondary	Primary	Secondary			
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate (AQCR 73):							
a. Primary and Secondary Nonattainment Areas		*g*					
b. Remainder of AQCR	c	c	c	c	c	c	
Southeast Illinois Intrastate (AQCR 74):							
a. Primary and Secondary Nonattainment Areas		*g*					
b. Remainder of AQCR	c	c	c	c	c	c	
West Central Illinois Intrastate (AQCR 75):							
a. Primary and Secondary Nonattainment Areas	e	*g*					
b. Remainder of AQCR	c	c	c	c	c	c	

a. Three years from plan approval or promulgation.
b. Air quality levels presently below primary standards or area is unclassified.
c. Air quality levels presently below secondary standards or area is unclassified.
d. July 1975.
e. December 31, 1982.
f. December 31, 1987.
g. December 31, 1985.

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide specific date or the date provided was not acceptable. These dates may be changed through revisions to the SIP by the Sta

NOTE 2: Sources subject to the plan requirements and attainment dates established under section 110(a)(2)(A) prior to th 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earl attainment dates are set out at 40 CFR 52.727.

NOTE 3: For actual nonattainment designations, refer to 40 CFR Part 81.

[45 FR 11494, Feb. 21, 1980]

§ 52.728 Control strategy: Nitrogen dioxide. [Reserved]

§ 52.729 Control strategy: Carbon monoxide.

(a) The requirements of Subpart G of this chapter are not met because transportation and/or land-use control strategies and a demonstration that such strategies along with the Federal motor vehicle control program, will attain and maintain the national standards for carbon monoxide in the Illinois portion of the Metropolitan Chicago interstate region by May 31, 1975, have not been adopted for submission as required.

(b) Part D—Conditional Approval—The Illinois plan is approved provided that the following condition is satisfied:

(1) The State corrects the deficiencies in the transportation control plans for the Peoria Metropolitan Area and the Northeastern Illinois (Chicago) area as detailed below in § 52.737 (a) and (b).

[38 FR 16565, June 22, 1973, as amended 45 FR 62810, Sept. 22, 1980; 51 FR 4067 Nov. 7, 1986]

§ 52.730 Compliance schedules.

(a) The requirements of § 51.262(a of this chapter are not met since com pliance schedules with adequate incre ments of progress have not been sub mitted for every source for which the are required.

(b) Federal compliance schedules. (1 Except as provided in paragraph (b)(3 of this section, the owner or operato of any stationary source subject to th following emission limiting regulation in the Illinois implementation pla shall comply with the applicable com pliance schedule in paragraph (b)(2) o this section: Illinois Air Pollution Con trol Regulations Rule 203(d)(4 203(d)(6)(B)(ii)(bb), 203(g)(1)(B 203(g)(2), 203(g)(3), 203(g)(4 204(c)(1)(A), 204(c)(2), 204(d), an 204(e).

(2) *Compliance schedules.* (i) Th owner or operator of any stationar source subject to Illinois Air Pollutio Control Regulation Rule 203(d)(4 shall take the following actions wit

spect to the source no later than the te specified.

(*a*) September 30, 1973—Advertise r bids for purchase and construction installation of equipment, or for aterials requisite for process modifiation sufficient to control particulate issions from the source.

(*b*) November 15, 1973—Award conracts for emission control systems or rocess modification, or issue orders r the purchase of component parts accomplish emission control or rocess modification.

(*c*) May 31, 1974—Initiate onsite conruction or installation of emission ntrol system or process modificaion.

(*d*) March 31, 1975—Complete onsite onstruction or installation of emision system or process modification.

(*e*) May 31, 1975—Complete shakeown operation and performance test n source, submit performance test reults to the Administrator; achieve full ompliance with State agency regulaion.

(ii) The owner or operator of any tationary source subject to Illinois Air Pollution Control Regulation Rule 203(d)(6)(B)(ii)(bb) shall take the following actions with respect to the ource no later than the date specified.

(*a*) September 30, 1973—Advertise or bids for purchase and construction r for modification of equipment sufficient to control particulate emissions rom the source.

(*b*) November 15, 1973—Award conracts for emissions control systems or process modification, or issue orders r the purchase of component parts o accomplish emission contrel or process modification.

(*c*) March 31, 1974—Initiate onsite construction or installation of emission control system.

(*d*) October 31, 1974—Complete onsite construction or installation of emission control system.

(*e*) December 31, 1974—Achieve final compliance with Illinois Air Pollution Control Regulations Rule 203(d)(6)(B)(ii)(bb).

(iii) (*a*) The owner or operator of any boiler or furnace of more than 250 million BTU per hour heat input subject to Illinois Air Pollution Control Regulation Rule 204(c)(1)(A), 204(c)(2), 204(d), and 204(e) shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to the requirements of said regulation.

(*b*) Any owner or operator of a stationary source subject to paragraph (b)(2)(iii)(*a*) of this section who elects to utilize low sulfur fuel shall take the following actions with respect to the source no later than the date specified.

(*1*) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Illinois Air Pollution Control Regulations Rule 204(c)(1)(A), 204(c)(2), 204(d), and 204(e) on May 31, 1975, and for at least one year thereafter.

(*2*) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(*3*) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(*4*) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(*5*) June 15, 1974—Initiate onsite modifications, if applicable.

(*6*) March 31, 1975—Complete onsite modifications, if applicable.

(*7*) May 31, 1975—Final compliance with the emission limitation of Rules 204(c)(1)(A), 204(c)(2), 204(d), and 204(e).

(*c*) Any owner or operator of a fuel combustion source subject to paragraph (b)(2)(iii)(*a*) of this section who elects to utilize stack gas desulfurization shall take the following actions with respect to the source no later than the date specified.

(*1*) November 1, 1973—Let necessary contracts for construction.

(*2*) March 31, 1974—Initiate onsite construction.

(*3*) March 31, 1975—Complete onsite construction.

(*4*) May 31, 1975—Complete shakedown operations and performance test on source, submit performance test results to the Administrator; achieve full compliance with Rule 204(c)(1)(A), 204(c)(2), 204(d), and 204(e).

(iv) (*a*) The owner or operator of any stationary source subject to Illinois Air Pollution Control Regulations Rule 203(g)(1)(B), 203(g)(2), 203(g)(3), and 203(g)(4) shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low ash fuel or a stack gas cleaning system to meet the requirements of said regulation.

(*b*) Any owner or operator of a stationary source subject to paragraph (b)(2)(iv)(*a*) of this section who elects to utilize low ash fuel shall take the following actions with respect to the source no later than the date specified.

(*1*) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Illinois Air Pollution Control Regulations Rule 203(g)(1)(B), 203(g)(2), 203(g)(3), and 203(g)(4) on May 31, 1975, and for at least one year thereafter.

(*2*) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(*3*) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(*4*) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(*5*) June 15, 1974—Initiate onsite modifications, if applicable.

(*6*) March 31, 1975—Complete onsite modifications, if applicable.

(*7*) May 31, 1975—Final compliance with the emission limitation of Rule 203(g)(1)(B), 203(g)(2), 203(g)(3), and 203(g)(4).

(*c*) Any owner or operator of a stationary source subject to paragraph (b)(2)(iv)(*a*) of this section who elects to utilize a stack gas cleaning system shall take the following actions with respect to the source no later than the date specified.

(*1*) January 15, 1974—Let necessary contracts for construction.

(*2*) April 1, 1974—Initiate onsite construction.

(*3*) April 1, 1975—Complete onsite construction.

(*4*) May 31, 1975—Complete shakedown operations and performance tests on source, submit performance test results to the Administrator, achieve full compliance with Rule 203(g)(1)(B), 203(g)(2), 203(g)(3), and 203(g)(4).

(v) Ten days prior to the conduct of any performance test required by this paragraph, the owner or operator of the affected source shall give notice of such test to the Administrator to afford him the opportunity to have an observer present.

(vi) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(3)(i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedules in paragraph (b)(2) of this section fail to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(c) The compliance schedules for the urce identified below are approved meeting the requirements of 1.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

ILLINOIS

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
BOONE COUNTY				
Giant Co	Belvidere	204(c)	May 16, 1973	May 30, 1975.
CHAMPAIGN COUNTY				
Central Gulf Railroad	Champaign	204(c)	Apr. 20, 1973	Feb. 15, 1975.
COLES COUNTY				
Corp. (boilers 2, 5)	Charleston	204(c)	Mar. 1, 1973	May 30, 1975.
COOK COUNTY				
Chemical Corp	Chicago	204(c)	May 29, 1973	May 30, 1975.
Match Plated Co., Inc	do	204(c)	Mar. 14, 1973	May 1975.
Corp	do	205(f)	Aug. 3, 1973	Apr. 15, 1974.
amin Harris & Co	Chicago Hts	203(d)(7)	Aug. 30, 1973	Feb. 1, 1974.
ng & Co (46 Street boiler)	Chicago	204(c)	Mar. 30, 1973	May 30, 1975.
Industrial Chrome, Inc	do	204(c)	July 24, 1973	Do.
ral Electric	Cicero	204(c)	Apr. 13, 1973	Do.
ral Electric	Chicago Hts	203(b)	July 14, 1973	Feb. 1, 1974.
Lakes Carbon Corp	Chicago	203(b)	May 24, 1973	May 24, 1974.
hnstam Co	Bedford Pk	204(c)	Oct. 2, 1972	May 1975.
Central Gulf Railroad	Chicago	204(c)	Mar. 22, 1973	Feb. 15, 1975.
rial Service Corp	Calumet Pk	204(c)	July 17, 1973	May 30, 1975.
nesota Grain Perling	Chicago	203(b)	May 24, 1973	May 24, 1974.
re-Illinois, Inc	do	204(c)	Feb. 22, 1973	May 30, 1975.
Do	Chicago Hts	203(a)	July 19, 1974	May 1975.
ick & Ford, Inc	Chicago	204(c)	May 8, 1973	May 30, 1975.
si-Cola General Bottlers, Inc	Chicago, 1745 N. Kolmar Ave. 204(c).	204(c)	Mar. 29, 1973	Do.
Do	Chicago 640 E. 51st St.	204(c)	do	Do.
R. Donnelley & Sons Co	Chicago	205(f)	June 20, 1973	July 30, 1974.
neider Building Corp.:				
(a) Oil heater building 1 and 2	Cicero	204(c)	Apr. 12, 1973	May 30, 1975.
(b) Oil heater building 3	do	204(c)	May 14, 1973	Do.
CARROLL COUNTY				
Schults, & Dahl Inc	Mt. Carroll	204(c)	Apr. 26, 1973	May 1975.
DEWITT COUNTY				
Central Gulf Railroad	Clinton	204(c)	Apr. 1, 1973	Feb. 15, 1974.
GRUNDY COUNTY				
ral Electric	Morris	207(a)(2)	Mar. 8, 1973	Mar. 8, 1974.
HENRY COUNTY				
r Co	Kewanee	204(c)	Sept. 25, 1973	May 30, 1975.
JO DAVIESS COUNTY				
Corp., Kraft Foods Division	Galena	204(c)	Apr. 19, 1973	May 30, 1975.

ILLINOIS—Continued

Source	Location	Regulations involved	Date schedule adopted	Final complianc date
KANE COUNTY				
DuKane Corp	St. Charles	205(f)	June 7, 1973	Apr. 1, 1975.
KNOX COUNTY				
Alton Box Board Co	Galesburg	204(c)	Feb. 27, 1973	May 30, 1975.
LAKE COUNTY				
Abbott Labs (boilers No. 4, 5, 6, 8)	N. Chicago	204(c)	June 4, 1973, June 5, 1973.	May 30, 1975.
Fansteel, Inc	Waukegan	204(c)	Nov. 15, 1973	Aug. 1, 1975.
Mt. St. Joseph	Lake Zurich	204(c)	June 20, 1973	May 30, 1975.
LA SALLE COUNTY				
American Nickeloid Co	Peru	204(c)	May 22, 1973	May 30, 1975.
Carus Corp	LaSalle	204(c)(2)	Apr. 9, 1973	Do.
Del Monte Corp	Mendota	204(c)	May 15, 1973	June 1, 1974.
E. I. du Pont de Nemours & Co., Inc	Seneca	207(a)(2)	Apr. 3, 1973	Oct. 1, 1974.
Nabisco, Inc	Marseilles	204(c)	May 24, 1973	May 30, 1975.
LAWRENCE COUNTY				
Texaco Inc. (vacuum pipe still)	Lawrenceville	204(c)	Oct. 17, 1973	June 1974.
MADISON COUNTY				
Edwardsville Creamery Co	Edwardsville	204(c)	June 15, 1973	May 29, 1975.
Illinois Central Gulf Railroad	Venice	204(c)	July 5, 1973	Feb. 15, 1975.
Olin Corp (powerplant)	East Alton	204(c)	May 9, 1973	May 30, 1975.
Reilly Tar & Chemical Corp. (boilers)	Granite City	204(c)	Mar. 8, 1973	Do.
MARSHALL COUNTY				
B. F. Goodrich Chemical Co	Henry	204(c)	Apr. 17, 1973	May 30, 1975.
PEORIA COUNTY				
Atlantic Richfield Co	Chillicothe	205(f)	June 6, 1973	Jan. 31, 1974.
Bemis Co., Inc	Peoria	204(c)	May 4, 1973	Mar. 1975.
Hiram Walker & Sons, Inc	do	204(c)	Mar. 5, 1973	June 1, 1975.
PUTNAM COUNTY				
Illinois Power Co	Hennepin	204(g)(b)	July 31, 1973	June 30, 1974.
SALINE COUNTY				
U.S. Department of Agriculture	Harrisburg	502	Mar. 14, 1973	Feb. 14, 1974.
SANGAMON COUNTY				
Allis Chalmers	Springfield	204(c)	May 16, 1973	May 30, 1975.
ST. CLAIR COUNTY				
Alton Box Board Co	Godfrey	204(c)	July 19, 1973	May 30, 1975.
Carling Brewing Co	Belville	204(c)	May 7, 1973	Do.
East St. Louis & Interurban Water Co	E. St. Louis	204(c)	Apr. 18, 1973	Do.
Model Progress Laundry Inc	do	204(c)	May 1, 1973	Do.
Monsanto Co	Sauget	204(c)	Oct. 19, 1973	Do.
VERMILION COUNTY				
American Can Co	Hoppeston	204(f)(2)(d)	May 25, 1973	May 30, 1975.
Danville Asphalt	Fifthian	204(c)	Mar. 16, 1973	Do.

ILLINOIS—Continued

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
		WABASH COUNTY		
Carmel Public Utility Co	Mt. Carmel	203(b)	Oct. 31, 1972	June 30. 1974.
		WILL COUNTY		
pillar Tractor Co	Joliet			
(a) Boilers 2, 3		203(b), 204(c)	May 8, 1973	Nov. 1, 1974.
(b) Boiler 4		203(b), 204(c)	do	May 30, 1975.
aco Inc	Lockport			
(a) Steam generator		204(f)	Jan. 29, 1973	May 1, 1974.
(b) Delayed cooking unit		204(f)	Jan. 31, 1973	May 30, 1975.
(c) Catalytic cracking unit		204(f)	May 1, 1973	Do.
e Celotex Corp	Wilmington	204(a)	May 8, 1973	Mar. 31, 1974.
		WILLIAMSON COUNTY		
Corp	Marion	204(c)	May 8, 1973	May 30, 1975.
		WINNEBAGO COUNTY		
L Clark Manufacturing Co	Rockford	205(f)	Apr. 30, 1973	May 30, 1975.
del Brothers Tree Service	S. Beloit	502	Apr. 17, 1973	Mar. 28, 1974.

(d) The compliance schedules for the sources identified below are disapproved s not meeting the requirements of Subpart N of this chapter. All regulations ited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date schedule adopted
	CHRISTIAN COUNTY		
lied Mills, Inc	Taylorville	204(c)	Feb. 28, 1973.
	COOK COUNTY		
rco Aluminum Inc	Chicago	204(c)	Dec. 9, 1973.
L Clark Manufacturing Co	Downers Grove	205(f)	May 4, 1973.
hnson & Johnson	Bedford Park	205(f)	Jun. 20, 1973.
oyd J. Harris Pie, Co. Inc	Chicago	204(c)	Feb. 27, 1973.
nion Oil Co. of California	do	204(c)	Jun. 19, 1973,
(a) No. 10 boiler			Dec. 13, 1973.
(b) 11BIA crude heater			
H. Hutchingson & Son, Inc	do	205(f)	Aug. 12, 1973.
estern Rust Proof Co	do	204(c)	Oct. 10, 1973.
heeler Uniform Service Inc	do	204(c)	May 22, 1973.
m. Yuenger Manufacturing Co	do	204(c)	Aug. 16, 1973.
orld's Finest Chocolate Inc	do	204(c)	May 30, 1973.
	JACKSON COUNTY		
ck Industries, Inc	Carbondale	204(c)	Jun. 20, 1973.
	KANE COUNTY		
l Steel Equipment Corp	Montgomery	204(f)	July 24, 1973.
nsolidated Food Inc	Aurora	205(f)	May 9, 1973.
	LAKE COUNTY		
orton Manufacturing Co	Libertyville	205(f)	Aug. 27, 1973.
	LA SALLE COUNTY		
lied Mills Inc	Mendota	204(c)	May 28, 1973.

Source	Location	Regulation involved	Date schedu adopted
MADISON COUNTY			
Clark Oil & Refining Corp	Hartford	204(f)	Feb. 22, 1973.
Granite City Steel Co	Granite City	203(d)(6)	Apr. 25, 1972.
(a) Coke oven pushing operations			as amended.
(b) Charging operations			May 21, 1973.
Illinois Power Company (Wood River Boiler No. 5)	E. Alton	204(c)	May 1, 1973.
Owens-Illinois Inc	Madison	204(c)	May 2, 1973.
Owen-Illinois Inc. (No. 2 Powerhouse)	Alton	204(c)	Mar. 30, 1973.
Shell Oil Co. (Cat. Cracker Units Nos. 1, 2)	Roxana	203(b)	Nov. 27, 1972.
RANDOLF COUNTY			
Chester Dairy Co	Chester	204(c)	Aug. 6, 1973.
ST. CLAIR COUNTY			
Lock Stove Co	East St. Louis	205(b)	June 11, 1973.
TAZEWELL COUNTY			
Quaker Oats Co	Pekin	204(c)	May 24, 1973.
VERMILLION COUNTY			
Lauhoff Grain Co	Danville	204(c)	Mar. 31, 1973.

[38 FR 16145, June 20, 1973, as amended at 38 FR 22742, Aug. 23, 1973; 38 FR 24342, Sep
1973; 39 FR 28155, Aug. 5, 1974; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

§ 52.731 Inspection and maintenance of vehicles.

(a) Definitions:

(1) "Inspection and maintenance program" means a program to reduce emissions from in-use vehicles through identifying vehicles that need emission control related maintenance and requiring that such maintenance be performed.

(2) "Vehicle-for-hire" means any chauffeur-driven, spark-ignition-powered motor vehicle used for the purpose of providing transportation for a fee or charge, such as taxicabs and limousine services.

(3) "Spark-ignition-powered motor vehicle" means a self-propelled over-the-road vehicle that is powered by a spark ignition type of internal combustion engine, including but not limited to engines fueled by gasoline, propane, butane, and methane compounds.

(4) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb. gross vehicle weight (GVW) or less.

(5) All other terms used in this section that are defined in Appendix N of Part 51 of this chapter are used her
with the meanings so defined.

(b) This regulation is applicable
Cook County, Illinois (including
city of Chicago).

(c)(1) The City of Chicago s
design, implement and enforce an
spection and maintenance program
plicable to all light-duty, spark-i
tion-powered motor vehicles ow
and registered in the City of Chic
The City may exempt any class or
egory of vehicles that the City f
are rarely used on public streets
highways (such as classic or anti
vehicles).

(2) The County of Cook shall des
implement and enforce an inspect
and maintenance program applic
to all light-duty, spark-ignition-p
ered motor vehicles owned and re
tered outside the City of Chicago
within the geographic limits of
County of Cook. The County
exempt any class or category of v
cles that the County finds is ra
used on public streets or highw
(such as classic or antique vehicles).

(d) No later than February 1, 1
the City of Chicago and no later t
June 1, 1974, the County of Cook s

bmit to the Administrator for his pproval legally adopted regulations tablishing the regulatory scheme for e inspection and maintenance prorams required by paragraph (c) of is section. The regulations shall inude:

(1) Provisions requiring inspection of l light-duty, spark-ignition-powered otor vehicles owned and operated ithin the respective geographic jurisctions of the City and County at riodic intervals no more than 1 year art by means of an idle test, except at Chicago registered light-duty vecles-for-hire shall be inspected at inrvals of no more than 4 months art.

(2) Provisions setting forth inspecn criteria and exhaust emissions ndards identical to the inspection iteria and exhaust emission standds set forth in section 17-2A.2 of the vironmental Control Ordinance, apter 17 of the Municipal Code of icago, effective June 1, 1973, in the ty of Chicago.

(3) Provisions ensuring that failed hicles receive within 30 days the intenance necessary to achieve mpliance with the inspection standds. These shall, at a minimum pose sanctions against individual ners and repair facilities, require test of failed vehicles following intenance, require plans for the esblishment of a certification program ensure that repair facilities perming the required maintenance ve the necessary equipment, parts, d knowledgeable operators to perm the tests satisfactorily, and prole for such other measures as necesy or appropriate.

(4) Provisions prohibiting vehicles m being intentionally readjusted or dified subsequent to the inspection d/or maintenance in such a way as uld cause them to no longer comply th the inspection standards. These ght include authorization of spot ecks of idle adjustments and/or reiring a suitable type of physical tagg on vehicles. These provisions ll include appropriate penalties for lation.

(5) Designation of an agency or ncies responsible for conducting, erseeing, and enforcing the inspection and maintenance program. Private parties may be designated to conduct parts of the program to certify compliance.

(6) Provisions requiring that, with regard to the first inspection cycle, the inspection and maintenance necessary to achieve compliance with the applicable emission standards established pursuant to paragraph (d)(2) of this section be completed by:

(i) May 31, 1975, for all vehicles subject to the inspection program established by the City of Chicago pursuant to this section;

(ii) May 31, 1975, for five-twelfths (5/12) of the vehicles subject to the inspection program established by the County of Cook pursuant to this section; and

(iii) December 31, 1975, for the remainder of the vehicles subject to the Cook County inspection program.

(e) After May 31, 1975, the State of Illinois shall not register or allow to operate on its streets or highways and the City of Chicago shall not allow to operate on its streets or highways any light-duty, spark-ignition-powered motor vehicle subject to the City of Chicago inspection program established pursuant to this section that does not comply with the applicable exhaust emission standards adopted in accordance with paragraph (d)(2) of this section. This prohibition shall not apply to the initial registration of a new motor vehicle.

(f) After December 31, 1975, the State of Illinois shall not register or allow to operate on its streets or highways and the County of Cook shall not allow to operate on its streets or highways any light-duty, spark-ignition-powered motor vehicle subject to the Cook County inspection program established pursuant to this section that does not comply with the applicable exhaust emission standards adopted in accordance with paragraph (d)(2) of this section. This prohibition shall not apply to the initial registration of a new motor vehicle.

(g) After May 31, 1975, no person shall cause, permit, or allow the resale, rental, use, or operation of any spark-ignition-powered motor vehicle subject to the inspection program established by the City of Chicago pursuant to this section that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d)(2) of this section. This prohibition shall not apply to the initial registration of a new motor vehicle.

(h) After December 31, 1975, no person shall cause, permit, or allow the resale, rental, use, or operation of any spark-ignition-powered motor vehicle subject to the inspection program established by the County of Cook pursuant to this section that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d)(2) of this section. This prohibition shall not apply to the initial registration of a new motor vehicle.

(i) No later than February 1, 1974, the City of Chicago and no later than March 1, 1974, the County of Cook shall each submit to the Administrator, for his approval, detailed compliance schedules showing the steps they will take to establish, operate, and enforce the inspection/maintenance programs required by paragraph (c) of this section including the text of proposed or adopted regulations and the date by which proposed regulations will be adopted. The compliance schedule shall also include:

(1) The date by which necessary equipment will be ordered, and

(2) A signed statement from the chief executive officers of the City and/or County identifying the necessary resources including manpower resources and the sources and amounts of funds for the respective programs. If resources cannot be legally obligated under existing statutory authority the text of needed legislation shall be submitted.

[38 FR 33561, Dec. 5, 1973]

§ 52.732 Traffic flow improvements.

(a) Definitions:

(1) "Central Core Area" means that area within the City of Chicago bounded by and including Wacker Drive on the North and West, Michigan Avenue on the East, and Harrison Street on the South.

(b) This regulation is applicable within the City of Chicago, Illinois.

(c) On and after May 31, 1975, the City of Chicago shall operate a traffic-responsive, digital-computer-
trolled, traffic signal system cove
all intersections within the Ce
Core Area.

(d) No later than February 1,
the City of Chicago shall subm
the Administrator, for his approv
detailed compliance schedule sho
the steps it will take to establish
operate the traffic flow improve
system required by paragraph (
this section including:

(1) A description of the legal aut
ity for establishing and operating
system, including the text of prop
or adopted legislation and regulat
and the dates by which any prop
regulations will be adopted.

(2) Specific dates by which va
steps to implement the traffic flow
provement system will be compl
Such steps shall include, as a
mum, the following: Submitting
plans and specifications for the sy
to the Administrator for his appr
ordering necessary equipment,
mencing on-site construction an
installation, and completing of on
construction and/or installation.

(3) A signed statement from
Mayor of Chicago or his designee
tifying the sources and amount
funds for the traffic flow improve
system. If funds cannot legally be
gated under existing authority,
text of needed legislation shall be
mitted.

[38 FR 33562, Dec. 5, 1973]

§ 52.733 Restriction of on-street parki

(a) Definitions: (1) "On-street p
ing" means stopping a motor veh
on any street, highway, or road
(except for legal stops at or be
intersections and as caution and sa
require), whether or not a perso
mains in the vehicle.

(b) (1) Effective September 30,
the City of Chicago shall prohibit
street parking by any motor veh
between the hours of 6:30 a.m.
6:30 p.m., Mondays through S
days, on one side of the follo
streets within the Central Core
(as defined in § 52.732 of this chap
Lake, Randolph, Washington,
son, Monroe, Adams, Jackson,
Buren, Clark, and Dearborn.

(2) No later than July 31, 1974, the City of Chicago shall submit to the Administrator legally adopted regulations establishing such a program. At a minimum, such regulations must provide that a vehicle parked in violation of the prohibition shall be towed away, and that the owner or operator of such vehicle shall be fined not less than $50 per violation.

(c) Commencing September 30, 1974, no owner of a motor vehicle shall park, or permit the parking of, said vehicle in violation of the prohibition of paragraph (b)(1) of this section.

(d) No later than May 31, 1974, the City of Chicago shall submit to the Administrator, for his approval, a compliance schedule for implementing the restrictions contained in paragraph (c) of this section. Said compliance schedule shall include:

(1) A description of the legal authority for establishing and enforcing the on-street parking prohibition, including the text of proposed or adopted legislation and regulations, and the date by which any proposed regulations will be adopted;

(2) Designation of the side of the streets on which on-street parking shall be prohibited;

(3) A schedule for installing no parking signs where necessary; and

(4) A strategy for ensuring strict compliance with the prohibition, including identification of the city official responsible for enforcement, and a description of the manpower and financial resources available.

[38 FR 33562, Dec. 5, 1973]

§ 52.734 Monitoring transportation mode trends.

(a) This section is applicable in the Metropolitan Chicago Interstate Air Quality Control Region.

(b) In order to assure the effectiveness of the inspection and maintenance program required under § 52.731, the state of Illinois shall monitor the actual per vehicle emissions reductions occurring as a result of such section. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period July 1–September 30, 1975.

(c) In order to assure the effective implementation of §§ 52.732 and 52.733 of this chapter, the State shall monitor vehicle miles traveled and average vehicle speeds for each area in which such sections are in effect for such time periods as may be appropriate to evaluate the effectiveness of such sections. The first quarterly report shall cover the period from October 1 to December 31, 1974. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State in accordance with § 58.35 of this chapter in the basic format shown in Table 1.

TABLE 1

Time period ....
Affected area ....

Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2)[1]
Freeway		
Arterial		
Collector		
Local		

[1] Continue with other vehicle types as appropriate.

[38 FR 33562, Dec. 5, 1973, as amended at 44 FR 27571, May 10, 1979]

§ 52.735 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met because the State neither identified areas of the State which have the potential for violation of air quality standards within 10 years nor provided a justification that there are no such areas in the State.

(b) The areas listed below are identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdiction or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Decatur Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Macon County.

(2) Illinois-Indiana-Wisconsin Interstate Air Quality Maintenance Area (Illinois portion).

(i) Pollutants for which the area is identified. Particulate matter, sulfur dioxide, carbon monoxide, photochemical oxidants and nitrogen dioxide.

(ii) Geographical composition of area.

Cook County, Du Page County, Kane County, Lake County, McHenry County, Will County.

(3) Peoria Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Peoria County, Tazewell County, Woodford County.

(4) St. Louis Interstate Air Quality Maintenance Area (Illinois Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

Madison County, Monroe County, St. Clair County.

[40 FR 23753, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.736 Review of new sources and modifications.

(a) Part D Disapproval. USEPA disapproves Illinois Pollution Control Board Rule 203 as adopted on July 14, 1983, and submitted to USEPA on August 23, 1983. The moratorium on construction and modification of new sources in nonattainment areas as provided in section 110(2)(I) of the Clean Air Act remains in effect for sources subject to the State's rule.

[50 FR 38804, Sept 25, 1985]

§§ 52.737 [Reserved]

§ 52.738 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) *Regulations for preventing significant deterioration of air quality.* The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Illinois.

(c) All applications and other information required pursuant to § 52.21 from sources located in the State of Illinois shall be submitted to the Director of the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 instead of the EPA Region V office.

[45 FR 52741, Aug. 7, 1980, as amended at 46 FR 9584, Jan. 29, 1981]

§ 52.739 Permit fees.

(a) The requirements of section 110(a)(2)(K) of the Clean Air Act as amended in 1977 are not met since the state has not submitted to EPA as a part of its State Implementation Plan, provisions for a permit fee system.

[46 FR 23237, Apr. 24, 1981]

§ 52.740 Interstate pollution.

(a) The requirements of section 126(a)(2) of the Clean Air Act as amended in 1977 are not met since the state has not submitted to EPA, as a part of its State Implementation Plan, the procedures on which the state is relying to notify nearby states of any proposed major stationary source which may significantly contribute to levels of air pollution in excess of the National Ambient Air Quality Standards in that state.

[46 FR 23237, Apr. 24, 1981]

Subpart P—Indiana

770 Identification of plan.

) Title of plan: "State of Indiana
Pollution Control Implementation
n."
) The plan was officially submitted
anuary 31, 1972.
) The plan revisions listed below
e submitted on the dates specified.
) The State Air Pollution Control
rd submitted a SO_2 control strate-
for the City of Indianapolis on
ch 16, 1972.
) The Governor submitted Pub. L.
Regulation APC 12-R and 13
ugh 17 on April 11, 1972.
) On May 1, 1972, the Governor's
e submitted an errata sheet and
ed pages for the State plan.
) A request for a nine month ex-
ion to achieve secondary SO_2
dards in the Indianapolis Region
made by the Governor on May 16,
.
) The State Air Pollution Control
rd submitted additional informa-
on surveillance methodology
-regulatory) on May 17, 1972.
) Regulation APC 4-R was trans-
ed by the Governor on June 30,
.
Assurance that emission data for
ces was available for public inspec-
was given on July 24, 1972, by the
nical Secretary to the Indiana
rd.
Clarification of a policy on avail-
y of emission data to the public
August 17, 1972, by the Technical
tary to the Indiana Board.
On September 15, 1972, amend-
s to State control regulations 13,
d 16 were submitted to the Gov-
.
) On May 8, 1973, the Governor
itted a new regulation (APC-19)
replaced APC-1.
) The Governor submitted a
portation control plan for Marion
ty on October 19, 1973.
On March 7, 1974, the Technical
tary of the Air Pollution Control
, acting for the Governor of In-
submitted new regulation APC-

On October 3, 1974, the Techni-
cretary submitted revised regula-
APC-16 covering CO, APC-17
covering NO_x and a new regulation APC-22 covering classification of counties for SO_2, oxidants, particulates, NO_x and CO.

(14) On November 8, 1974, the Technical Secretary submitted revised regulation APC-3 covering visible emissions and revised regulation APC-15 covering hydrocarbons.

(15) On December 5, 1974, the Technical Secretary submitted revised regulation APC-13 covering SO_2. On July 18, 1975, an updated Technical Support Document on APC-13 was submitted by the Technical Secretary.

(16) On June 14, 1976, the Technical Secretary submitted enforcement orders varying the final sulfur dioxide emission limitations for the Warrick and Culley electrical generating stations in Warrick County.

(17) On March 16, 1977, the Technical Secretary submitted new regulation APC-8, Continuous Emission Monitoring; and revised regulations APC-7, Incinerators; and APC-14, Indiana Ambient Air Quality Standards.

(18) On May 18, 1977, the Technical Secretary submitted revised regulation APC-2, Open Burning.

(19) On June 26, 1979, the Governor submitted a revised sulfur dioxide strategy, including regulation APC 13 with appendix, which was promulgated by the State on June 19, 1979 for all areas of the State. This included the Part D sulfur dioxide regulations for Lake, LaPorte, and Marion Counties. On August 27, 1980 and July 16, 1981 the State committed itself to correct conditionally approved items within their strategy. On October 6, 1980, the State submitted a recodified version of APC 13 which was promulgated by the State on August 27, 1980. This included 325 IAC 7, 325 IAC 1.1-6, 325 IAC 1.1-7-2 and 4, 325 IAC 12-5-1 and 2(a), 325 IAC 12-9-1 and 4, and 325 IAC 12-18-1 and 2. EPA is not taking action on: (i) 325 IAC 7 as it applies to Floyd and Vigo Counties, (ii) the 30-day averaging compliance method contained in 325 IAC 7-1-3, and (iii) the stack height provision for NIPSCO's Mitchell Station in the Lake County SO_2 strategy and (4) the stack height provisions for IPALCO's Stout Generating Chemicals Compa-

ny, and Detroit Diesel Allison's Plant #8 in the Marion County SO_2 strategy.

(20) On June 26, 1979, the State of Indiana submitted to EPA revisions to the ozone and carbon monoxide portions (section 3.3.24) of its Marion County State Implementation Plan. On March 11, 1980, the state submitted revisions to the Marion County technical appendix to section 3.3.24. On May 19, 1980, the state submitted ozone and carbon monoxide attainment demonstrations for Marion County (section 1.5). On September 8, 1980 the state submitted its memoranda of understanding. On October 9 and October 15, 1980, the state submitted documentation concerning interagency coordination and the analysis of transportation control measures. On January 7, 1981, the state submitted corrections and clarifications in response to EPA's notice of proposed rulemaking (45 FR 81070).

(21) On June 26, 1979 Indiana submitted a motor vehicle inspection and maintenance program for Clark, Floyd, Lake, and Porter Counties. Additional commitments were submitted on April 7, 1980; June 12, 1980; August 27, 1980; November 13, 1980 and November 24,1980.

(22) On June 26, 1979, Indiana made submittals pertaining to section 121 Consultation, section 110(a)(2)(K)—Permit Fees, section 126—Interstate Pollution, section 127—Public Notification, section 128—State Boards and section 110(a)(2)(F) (ii) and (iii)—Continuous Emission Monitoring Additional commitments were secured on April 17, 1980, June 25, 1980, August 1, 1980, November 10, 1980, December 9, 1980, and December 31, 1980. A revised version of Indiana's continuous emission monitoring regulation (325 IAC 3) was submitted on October 6, 1980.

(23) On June 26, 1979, the State of Indiana submitted a revision to provide for modification of the existing air quality surveillance network.

(24) On June 26, 1979, the Governor submitted a revised new source review regulation, APC-19. Additional information and commitments were submitted on June 25, 1980 and May 19, 1981. EPA is not taking action on section 7 of APC-19, Prevention of Significant deterioration.

(25) On June 26, 1979 the Govern
submitted revised emission limits f
Knauf Fiberglass, Shelby County. A
ditional information was submitted
November 21, 1979. The emission lin
tations were recodified as 325 IAC 1
and 11-4 Appendix A and were resu
mitted on October 6, 1980.

(26) On June 26, 1979 the Govern
submitted Indiana's definition regu
tion, APC-1. The definitions were
codified as 325 IAC 1.1-1 and res
mitted on October 6, 1980. On Janu
21, 1981 Indiana submitted a revis
definition for "positive net air qual
benefit." EPA is taking no action
325 IAC 1.1-1-82, definition of "St
Implementation Plan (SIP)."

(27) On October 6, 1980, India
submitted Regulation 325 IAC 1.
(formerly APC 14) which includes
primary and secondary ambient
quality standards for ozone and lead

(28) On February 26, 1981, Indi
submitted a revision to its plan w
ing the State's sulfur dioxide air mo
toring requirement of section 4(a)
Regulation 325 IAC 7-1 for the a
around Public Service of Indian
Noblesville Generating Station.

(29) On June 26, 1979, May 19, 1
September 24, 1980, October 9, 1
and October 15, 1980, Indiana subm
ted transportation control plans
ozone demonstrations of attainm
for Lake, Porter, Clark, Floyd,
Joseph, Elkhart and Allen Countie
also submitted a carbon monox
demonstration of attainment for L
County. EPA is taking no action
the ozone demonstration of att
ment for St. Joseph, Elkhart
Allen Counties.

(30) On April 10, 1981, Indiana
mitted revised emission limits for I
ana Farm Bureau Cooperative Asso
tion's Beech Grove plant.

(31) On February 11, 1980, Indi
submitted a revised sulfur dio
strategy for Vigo County. Techn
information was submitted on Dec
ber 10, 1979 and on May 30, 1980.
October 6, 1980, the State submitte
recodified version of the Vigo Cou
Regulations, 325 IAC Article 7, wh
was promulgated by the State
August 27, 1980. EPA is not tak
action on the 30-day averaging com

ance method contained in 325 IAC 7-1-3 as it applies to Vigo County.

(32) On November 24, 1981, Indiana submitted site specific emission limitations for Tecumseh Pipe Line Company, Schererville; and Wayne Transportation Division, Richmond.

(33) On February 11, 1980, Indiana submitted APC 15. EPA is taking no action the "bubble" provisions contained in Section 8(a)(2) of revised APC 15.

(34) On June 26, 1979, the Governor of Indiana submitted general TSP RACT emisson limits for nonattainment areas. These regulations were amended and recodified as 325 IAC 6-1 and resubmitted on October 6, 1980. On October 6, 1980, the State submitted a revised TSP regulation for process sources, 325 IAC 6-3; a source specific Dearborn County strategy (amendments were submitted on August 10, 1981), 325 IAC 6-1-8; a source specific Dubois County strategy, 325 IAC 6-1-9; and a source specific Wayne County strategy (amendments were submitted on January 29, 1981), 325 IAC 6-1-14. On February 11, 1980, Indiana submitted a source specific Marion County strategy (amendments were submitted on October 28, 1981), 325 IAC 6-1-12. EPA is deferring rulemaking at this time on the coke battery emission limitations in the Marion County strategy. On January 29, 1981, the State submitted a source specific Vigo County strategy (amendments were submitted on October 28, 1981 and May 7, 1982), 325 IAC 6-1-13; a source specific Howard County strategy, 325 IAC 6-1-15; and a source specific Vanderburgh County strategy (amendments were submitted on October 28, 1981), 325 IAC 6-1-16. EPA is deferring rulemaking at this time on the coke battery emission limitations in the Vigo County strategy and on whether the Howard County strategy currently contains all the elements required by the Clean Air Act. On July 8, 1981, the State submitted a source specific Clark County strategy, 325 IAC 6-1-17, and a source specific St. Joseph County strategy, 325 IAC 6-1-18. On January 29, 1981 and May 7, 1982, the State submitted additional information and commitments.

(35) On October 6, 1980, Indiana submitted its regulations as recodified. Amendments were submitted on January 29, 1981 and March 18, 1981. EPA's approval is directed specifically to the codification numbering system change, not to the substance within each of the codified rules.

(36) [Reserved]

(37) On May 10, 1982, Indiana submitted source specific emission limits contained in operating permits for the Bunge Corporation, Globe Industries, Skyline Corporation, and Dubois County Farm Bureau Co-op Assn., Inc. as revisions to the Indiana SIP.

(38) On April 27, 1982, Indiana submitted source specific TSP emission limits for Huntingburg Wood Products, Jasper Desk Company, Jasper Office Furniture Company, Arist-O-Kraft Company, Mohr Construction Company, Dana Corporation, and Allis Chalmers Corporation. On April 29, 1982, Indiana submitted source specific VOC emission limits for McGee Refining Corporation, Hesco Industries, and Clark Oil and Refining Corporation.

(39) On November 25, 1980, Indiana submitted 325 IAC Article 8, Volatile Organic Compound Regulations. This regulation adds Group II CTG requirements to Indiana's VOC plan and was State promulgated on October 15, 1980. EPA is not taking action on 325 IAC 8-1.1 Section 2(b), Bubble Approach.

(40) On November 24, 1981, Indiana submitted site specific emission limitations for Jeffboat, Inc., Jeffersonville.

(41) On November 23, 1982, Indiana submitted source-specific emission limits for Paul H. Rohe Company, Inc.

(42) On June 26, 1979, Indiana submitted its coke oven battery regulation, APC 9. On October 6, 1980 Indiana resubmitted this regulation recodified as 325 IAC 11-3. On August 27, 1981, Indiana submitted amendments to 325 IAC 11-3. EPA is taking no action on 325 IAC 11-3-2(a), Pre-Carbonization Emissions. It is taking no action on 325 IAC 11-3-2(l), Underfire Particulate and Sulfur Dioxide Emissions, as it applies to Lake County.

(43) On February 26, 1981 and June 22, 1982, Indiana submitted a 9.57 lbs/

MMBTU sulfur dioxide emission limit for IMEC's Breed Generating Station in Sullivan County. This limit supersedes that approved at paragraph (c)(19).

(44) On June 28, 1982, Indiana submitted new open burning regulations for Marion County. An amendment was submitted on August 25, 1982.

(45) On March 15, 1983, Indiana submitted a revision to the TSP and SO_2 portions of its SIP in the form of operating permits for the Sisters of Providence Convent in St. Mary-of-the-Woods, Indiana.

(46) On November 29, 1982, and December 9, 1982, Indiana submitted amendments to 325 IAC 11-4, Fiber Glass Insulation Manufacturing (Superfine Process) Limitations.

(47) On August 17, 1983, Indiana submitted emission limits of 1.8 lbs/hr and 2.4 tons/yr for the boilers at Jasper Cabinet Co., Dubois County. The 1.8 lbs/hr limit replaces the 7.6 lbs/hr limit approved for this source in subparagraph 34.

(48) [Reserved]

(49) On March 28, 1983, Indiana submitted a 20% 2-hour opacity limit as an "equivalent visible emission limit" (EVEL) for the underfire stack at Bethlehem Steel Corporation's Coke Battery No. 2 in Porter County. This EVEL is approved for as long as the SIP mass emission limit determined from 325 IAC 6-2 (October 6, 1980, submittal) for this source remains in the SIP See (c)(6), (35), and (42).

(50) On December 21, 1983, the Indiana Air Pollution Control Board submitted Indiana Rule 325 IAC 6-2.1, Particulate Emission Limitations for Sources of Indirect Heating. This rule repeals and replaces Indiana Rule 325 IAC 6-2. See §§ 52.770(c)(4) and (c)(35) and § 52.776(i).

(i) Incorporation by reference.

(A) 325 IAC 6-2.1, revised regulation establishing Particulate Emission Limitations for Sources of Indirect Heating.

(ii) Additional material.

(A) December 21, 1983, submittal of Finding of Facts and Recommendations of Hearing Officer R. W. James on 325 IAC 6-2.1.

(B) March 27, 1985, commitment letter from the State concerning the procedures the State will use in processing "bubbles" under 325 IAC 6-2.1-2(B) and 3(b). See § 52.776(i).

(51) On February 7, 1983, Indiana submitted revised opacity limits for existing boilers at Olin Corporation, located in Covington, Indiana. These "equivalent visible emission limits" (EVEL) are approved for as long as the SIP mass emission limit determined from 325 IAC 6-2 (October 6, 1980 submittal) for this source remains in the SIP. See § 52.770(c) (6) and (35) and § 52.776(h)(2).

(i) Incorporation by reference.

(A) EVELs for Olin Corporation contained in Operating Permits issued by IAPCB, dated October 6, 1981.

(ii) Additional material.

(A) September 1, 1983, transmittal by IAPCD's A. Sunderland of Olin's Mass Emission Tests, dated August 26, 1983.

(B) April 5, 1984, letter from IAPCD's E. Stresino transmitting original petition, including Method 9 opacity data.

(52) On February 23, 1984, the Indiana Air Pollution Control Board submitted a revision to Indiana's SO_2 SIP waiving the self-monitoring requirement for Public Service Indiana's Edwardsport Generating Station, as set forth in section 4(a) of Rule 325 IAC 7-1. See (c)(19). This revision becomes effective once the Edwardsport Station achieves an annual operating capacity of no greater than 10%.

(53) On October 6, 1980, Indiana submitted revised opacity regulation 325 IAC 5-1. It replaces 1972 APC for process sources, approved at paragraph (b), and SIP 1974 APC 3 for combustion sources, approved in part at subparagraph (c)(14). Indiana does not intend 325 IAC 5-1 to regulate the emission points in Lake County listed in Table 2 of 325 IAC 6-1-110.2 (subparagraph (c)(57)). USEPA is disapproving 325 IAC 5-1 for these sources. Indiana does not intend 325 IAC 5-1 to regulate certain coke battery emission sources listed in 325 IAC 11-3 (subparagraph (c)(42)). USEPA is disapproving 325 IAC 5-1 as it applies to the provisions of 325 IAC 11-3 which USEPA disapproved at (c)(42), i.e. pushing and quenching sources throughout the State and coke ove

doors in Lake and Marion Counties. Additionally, Indiana has modified 325 IAC 5-1 as it applies to the stack emission points in Porter County listed at 325 IAC 6-6-4. USEPA disapproved 325 IAC 5-1 as it applies to these Porter County sources on February 5, 1987 (52 FR 3640). For those source categories where USEPA is disapproving 325 IAC 5-1, they remain regulated by the previously approved opacity SIP which consists of SIP 1974 APC 3 for combustion sources and 1972 APC 3 for process sources. Additionally, as long as the Bethlehem Steel Corporation No. 2 Coke Oven Battery Underfire Stack EVEL (subparagraph (c)(49)) remains approved, it replaces 325 IAC 5-1.

(i) Incorporation by reference.

(A) A letter dated October 6, 1980 from the State of Indiana Air Pollution Control Board and 325 IAC 5-1, Visible Emission Limitations, State promulgated on August 26, 1980.

(ii) Additional material.

(A) February 12, 1985, letter from the Technical Secretary of the Air Pollution Control Board committing the State to make certain technical changes to 325 IAC 5-1.

(54) On March 28, 1984, Indiana submitted a revised TSP emission limitation for Richmond State Hospital, Wayne County, Indiana. This limitation replaces the one in 325 IAC 6-1-14 which was previously approved at (c)(34).

(i) Incorporation by reference.

(A) On January 13, 1984, Indiana issued to Richmond State Hospital an amendment to operating permit, 89-04-85-0153, which revised its TSP emission limitations for the four boilers to 0.60 lbs/MMBTU with an annual total limit of 452 tons/yr.

(55) On January 30, 1985, Indiana submitted revised VOC regulations 325 IAC 8-1.1, 8-2, 8-3, 8-4 and 8-5 to satisfy certain conditions of USEPA's approval. Those regulations amended those approved at (c)(33) and (c)(34). In addition, the applicability of the regulations was extended to cover St. Joseph and Elkhart Counties. USEPA is taking no action on changes to 325 IAC 8-1.1-2(f), Methods of Compliance, and the repeal of 325 IAC 8-5-6, Perchloroethylene Dry Cleaning, because these exempt the compound perchloroethylene from control without the State justifying that such exemption is consistent with the Part D reasonably available control technology (RACT) requirements.

NOTE: If Indiana allows use of a non-USEPA test method in the future, its use must be submitted to USEPA as a SIP revision.

(i) Incorporation by reference.

(A) Indiana's Volatile Organic Compounds (VOC) RACT I and II regulations, Title 325 Air Pollution Control Board:

(*1*) 325 IAC 8-1.1, Establishes Volatile Organic Compound Emission Limitations. State promulgated on June 21, 1984, and amended November 7, 1984.

NOTE: 325 IAC 8-1.1-4 Test methods and procedures. If Indiana allows use of a non-USEPA test method in the future, its use must be submitted to USEPA as a SIP revision.

(*2*) 325 IAC 8-2 Surface Coating Emission Limitations. State promulgated on June 21, 1984, and amended November 7, 1984.

(*3*) 325 IAC 8-3 Solvent Metal Cleaning Operating Requirements. State promulgated on October 15, 1984, and amended November 7, 1984.

(*4*) 325 IAC 8-4 Petroleum Sources. State promulgated on June 21, 1984, and amended November 7, 1984.

(*5*) 325 IAC 8-5 Miscellaneous Operations. State promulgated on June 21, 1984, and amended November 7, 1984.

(56) On September 2, 1983, the Indiana Air Pollution Control Board (Board) submitted revised emission limitations for Occidental Chemical Corporation (OCC), located in Clark County, Indiana. Amendments to these operating permits were submitted by the State on December 21, 1983. These emission limits replace those approved for OCC (under its former name, Hooker Chemical) at (c)(34).

(i) Incorporation by reference.

(A) Indiana Air Pollution Control Board Operation Permits:

(*1*) Control Number 16113, date issued December 27, 1982.

(*2*) Control Number 16114, date issued December 27, 1982.

(*3*) Control Number 16115, date issued December 27, 1982.

(ii) Additional material.

(A) OCC corrected emissions dated September 13, 1984.

(B) OCC's new modeled data, dated November 6, 1984.

(C) State's modeling for OCC and surrounding area, dated July 2, 1984 and August 7, 1984.

(57) On October 11, 1983, October 24, 1983, and April 16, 1984, Indiana submitted a revised Lake County Total Suspended Particulates (TSP) Plan, including regulations 325 IAC 6-1-10.2 and 6-1-11.1. This plan is disapproved. See § 52.776(j).

(58) On November 13, 1984, Indiana submitted 325 IAC 13-2, Motor Vehicle Tampering and Fuel Switching.

(i) Incorporation by reference.

(A) Indiana Rule 325 IAC 13-2, promulgated by the State on September 24, 1984.

(59) On March 24, 1986, the State of Indiana submitted a negative declaration for synthetic organic chemical manufacturing industry (SOCMI) source leaks and oxidation, and for natural gas/gasoline processing plants. On April 14, 1986, the State of Indiana submitted a negative declaration for manufacturers of high-density polyethylene, polypropylene, and polystyrene resins, and for large petroleum dry cleaners.

(i) Incorporation by reference.

(A) Letter dated March 24, 1986, from Harry D. Williams, Director, Air Pollution Control Division, Indiana State Board of Health. Letter dated April 14, 1986, from Walter J. Kulakowski, Assistant Commissioner for Air Management, Department of Environmental Management.

(60) On January 18, 1984, Indiana submitted as a revision to the TSP SIP certain operating conditions and limits for three coke oven batteries at Citizens Gas and Coke Utility in Marion County. The operating permits included conditions and limits for Batteries E, H and Number One with respect to visible emissions from coke oven doors and pushing operations and allowable content of total dissolved solids in quench makeup water. EPA disapproves the limit on coke oven door visible emissions and total dissolved solids content for quench makeup water on Battery Number One, because the limits are inconsistent with that battery's Part C Prevention of Significant Deterioration requirements and Part D Lowest Achievable Emission Rate requirements. See subparagraphs (c)(34) and (c)(42) for further background on actions concerning coke oven batteries.

(i) Incorporation by reference.

(A) Certificates of Operation Numbers 06895, 06896, and 06897 for Citizens Gas and Coke Utility issued by the City of Indianapolis, dated June 30, 1980, with addition of operating conditions and emission limits, dated September 12, 1983, as adopted by the State on January 4, 1984, and transmitted on January 18, 1984.

(ii) Additional information.

(A) September 7, 1983, letter from the City of Indianapolis to the State concerning quarterly analysis of coke quenching makeup water.

(61) On October 15, 1984, Indiana submitted a revision to the Porter County total suspended particulate (TSP) plan, including regulation 325 IAC 6-6, which was promulgated by Indiana on November 7, 1984. This plan is disapproved. See § 52.776(l).

(62) On March 4, 1985, Indiana submitted a revision to the Marion County carbon monoxide (CO) plan. USEPA approved this plan based on monitoring and modeling data and a commitment to implement a one-way street pair in the Indianapolis central business district. These elements demonstrate attainment of the CO National Ambient Air Quality Standards by December 31, 1987.

(i) Incorporation by reference.

(A) Marion County CO plan for attainment and maintenance of the CO NAAQS from Indianapolis Air Pollution Control Division, Sections 1.0, 3.4, 4.1, 4.2, 4.3.1, 4.3.2, 4.4, 5.1, 5.5.4, 6.1, 6.2.1, 6.2.2, 6.3, and 6.4, dated November 12, 1984.

(B) Letter from Indiana forwarding Marion County CO plan to USEPA, dated March 4, 1985.

(ii) Additional material.

(A) Portion of additional technical information from Indianapolis Air Pollution Control Division, including Section 1.0, dated August 28, 1985.

(B) Letter from Indiana forwarding dditional technical information, ated October 7, 1985.

(63) On January 23, 1986, the State ubmitted revisions to its Stage I Gasoline Dispensing regulations, which replace those conditionally approved at c)(33), (c)(35)—Codification only, and c)(55).

(i) Incorporation by reference.

(A) Letter of January 23, 1986 to PA from the State of Indiana, and itle 325 Air Pollution Control Board ule 325 IAC 8-4-6, Gasoline Dispensing Facilities, which was promulgated n January 14, 1986.

(B) Title 325 Air Pollution Control oard Rule 8-1.1-3, Compliance chedules, subsections (f), (g), and (h), hich was promulgated on January 4, 1986.

(64) On January 23, 1986, the State f Indiana submitted to USEPA a revision to the Indiana Lead State Implementation Plan in order to satisfy the equirements of 40 CFR 51.160 hrough 51.163 and 51.165(b) (formery 40 CFR 51.18 (a) through (i) and 1.18(k)) for a new source review program, USEPA approved this revision r lead new source review only.

(i) Incorporation by reference.

(A) Construction and Operating ermit Requirements, 325 IAC 2-1.1 romulgated on January 8, 1986.

(B) Letter of November 17, 1987, to PA from the Indiana Department of nvironmental Management.

(65) On November 30, 1981, Indiana stablished its air quality surveillance etwork for lead. On November 21, 983, Indiana notified USEPA that orning Glass was shut down. On February 18, 1987, Indiana submitted its egulation to control lead emissions, 25 IAC 15-1.

(i) Incorporation by reference.

(A) 325 IAC 15-1, Lead Emission imitations, effective February 27, 987.

(B) Letter of February 18, from the tate of Indiana to EPA.

(ii) Additional material.

(A) A November 30, 1981, letter from arry Williams, Technical Secretary, ndiana Air Pollution Control Board stablishing Indiana's air quality surveillance network for lead.

(B) A November 21, 1983, letter from Harry Williams, Technical Secretary, confirming that the Corning Glass facility in Wells County was permanently shut down and had been taken out of the State's emission inventory.

(C) A June 9, 1987, letter from Timothy Method, Acting Assistant Commissioner, submitting a general strategy and additional increments of progress required of Hammond Lead.

(66) On October 21, 1987, the State of Indiana submitted 325 IAC 7-1-3.1, Reporting Requirements and Methods to Determine Compliance, as a revision to its SO_2 plan. At paragraph (c)(19) of this section, USEPA approved/conditionally approved Indiana's SO_2 plan, 325 IAC 7-1, for most areas of the State. However, the emission limits in this plan were set aside by the Court of Appeals for the Seventh Circuit because USEPA took no action on the State's 30-day averaging compliance method in 325 IAC 7-1-3. New compliance method 325 IAC 7-1-3.1 replaces former 325 IAC 7-1-3. Therefore, with EPA's approval of 325 IAC 7-1-3.1, USEPA is reinstating its March 12, 1982, approval of Indiana's October 6, 1980, SO_2 rule, 325 IAC 7-1-1, 7-1-2 (except for any emission limits in the below named counties), 7-1-4, 7-1-5, 7-1-6, and 7-1-7. Other than these general provisons and 325 IAC 7-1-3.1, USEPA is not acting on or approving today Indiana's SO_2 plan for Dearborn, Floyd, Gibson, Jefferson, Lake, LaPorte, Marion, Morgan, Porter, Posey, Sullivan, Vermillion, Vigo, Warrick, and Wayne Counties.

(i) Incorporation by reference.

(A) Sulfur Dioxide Emission Limitations, 325 IAC 7-1 Introductory Text, 7-1-1, 7-1-2, 7-1-4, 7-1-5, 7-1-6, and 7-1-7 filed with the Secretary of State on August 27, 1980.

(B) 325 IAC 7-1-3.1, Reporting Requirements and Methods to Determine Compliance, promulgated September 24, 1987.

[37 FR 10863, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.770, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.771 Classification of regions.

(a) The Indiana plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemi oxidant (hydro-carbon
East Central Indiana Intrastate	II	II	III	III	
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	I	II	III	III	
Louisville Interstate	I	I	III	III	
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	
Metropolitan Cincinnati Interstate	I	II	III	III	
Metropolitan Indianapolis Intrastate	I	I	I	I	
Northeast Indiana Intrastate	II	III	III	III	
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	
Southern Indiana Intrastate	IA	IA	III	III	
Wabash Valley Intrastate	I	I	III	III	

(b) The requirements of § 51.150 of this chapter are not met by the classification of counties in APC-22 for the purposes of attainment and maintenance of the total suspended particulate ambient air quality standards.

(c) The requirements of § 51.150 of this chapter are not met by the classification of counties in APC-22 for the purposes of attainment and maintenance of the photochemical oxidant (hydrocarbon) ambient air quality standards.

(d) The requirements of § 51.150 of this chapter are not met by the classification of Jefferson, LaPorte, Porter, Vigo and Warrick Counties in Indiana in Regulation APC-22 for the purposes of attainment and maintenance of the sulfur dioxide ambient air quality standards.

[37 FR 10863, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 40 FR 50033, Oct. 28, 1975; 41 FR 35677, Aug. 24, 1976; 42 FR 34519, July 6, 1977; 51 FR 40675, Nov. 7, 1986]

§ 52.772 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Indiana's plan for attainment and maintenance of the secondary standards for sulfur oxides and particulate matter in the Indiana portion of the Metropolitan Chicago Interstate Region and for 13 months the statutory timetable for submission of the plan for attainmen and maintenance of the secondar standards for sulfur oxides in the Metropolitan Indianapolis Intrastat Region.

(b) The Administrator hereby extends for 9 months the attainmen date for the national standard for photochemical oxidants in the Metropolitan Indianapolis Intrastate Region.

[38 FR 12696, May 14, 1973, as amended 39 FR 12348, Apr. 5, 1974]

§ 52.773 Approval status.

(a) With the exceptions set forth i this subpart, the Administrator approves Indiana's plan for attainmen and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act.

(b) The Administrator finds that th SO_2 strategies for Lake, LaPort Marion and Vigo Counties satisfy a requirements of Part D, Title I of th Clean Air Act as amended in 197 except as noted below.

(c) The Administrator finds that Indiana's new source review strategy sa isfies all requirements of Part D, Tit 1 of the Clean Air Act as amended i 1977.

(d) The Administrator finds that th motor vehicle inspection and maint nance program satifies all requir ments of Part D, Title 1 of the Clea Air Act, as amended in 1977, except a noted below.

The Administrator finds that the on monoxide strategy for Lake nty satisfies all the requirements art D, Title I of the Clean Air Act.

The Administrator finds ozone egies for Clark, Elkhart, Floyd, , Marion, Porter, and St. Joseph nties satisfy all requirements of D, Title I of the Clean Air Act are required to be submitted by nary 1, 1981, except as noted w.

The administrator finds that the l suspended particulate strategies Clark, Dearborn, Dubois, St. ph, Vanderburgh, and Vigo Coun- satisfy all the requirements of D, Title I of the Clean Air Act pt as noted below.

FR 10864, May 31, 1972, as amended at R 38, Jan. 2, 1981; 47 FR 6275, Feb. 11, ; 47 FR 6623, Feb. 16, 1982; 47 FR 5, Mar. 12, 1982; 47 FR 20586, May 13, ; 47 FR 30980, July 16, 1982; 51 FR , Feb. 10, 1986]

774 [Reserved]

775 Legal authority.

) The requirements of § 51.232(b) his chapter are not met since the owing deficiencies exist in the local ncy legal authority:

) East Chicago: (i) Authority to re- re recordkeeping is inadequate 1.230(e) of this chapter).

i) Authority to require installation monitoring devices is inadequate 1.230(f) of this chapter).

) Evansville: (i) Authority to pre- t construction, modification, or op- tion of any stationary source at any ation where emissions from such rce will prevent the attainment or intenance of a national standard is dequate (§ 51.230(d) of this chap-).

i) Authority to require recordkeep- is inadequate (§ 51.230(e) of this pter).

ii) Authority to require installation monitoring devices is inadequate 51.230(f) of this chapter).

) Gary: (i) Authority to require ordkeeping is inadequate 51.230(e) of this chapter).

i) Authority to require installation monitoring devices is inadequate 51.230(f) of this chapter).

(4) Hammond: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(5) Indianapolis: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(6) Michigan City: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(7) Wayne County: (i) Authority to require recordkeeping and to make inspections and conduct tests of air pollution sources is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.230(d) of this chapter).

(8) Lake County: (i) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(ii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.230(d) of this chapter).

(9) St. Joseph County: (i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.230(d) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(10) Vigo County: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.230(d) of this chapter).

(11) Anderson County: (i) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

[37 FR 10863, May 31, 1972, as amended at 40 FR 55329, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

§ 52.776 Control strategy: Particulate matter.

(a) The requirements of Subpart G of this chapter are not met since the plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region.

(b) APC 4-R of Indiana's "Air Pollution Control Regulations" (emission limitation for particulate matter from fuel combustion sources), which is part of the control strategy for the secondary standards for particulate matter, is disapproved for the Metropolitan Indianapolis Intrastate Region since it does not provide the degree of control needed to attain and maintain the secondary standards for particulate matter. APC 4-R is approved for attainment and maintenance of the primary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region.

(c) APC-3 of Indiana's Air Pollution Control Regulations (visible emission limitation) is disapproved insofar as the phrase "for more than a cumulative total of 15 minutes in a 24-hour period" will interfere with attainment and maintenance of particulate standards.

(d) [Reserved]

(e) Part D—Conditional Approval—The complete Indiana plan for Clark, Dearborn, Dubois, Marion (except for coke batteries), St. Joseph, Vanderburgh, and Vigo Counties is approv
provided that the following conditi
is satisfied:

(1) The Part D Plan must conta
Industrial Fugitive Dust Regulatio
The State must submit these by Ju
31, 1982.

(f) 325 IAC 11-3-2(f), (as amend
on August 27, 1981) is not approved
it applies to Lake and Marion Cou
ties, insofar as it does not meet the r
quirements of section 172(b)(3) of t
Clean Air Act.

(g) 325 IAC 11-3-2(g) and 11-3-2(
(as amended on August 27, 1981) a
disapproved insofar as they do n
meet the requirements of sectio
110(a)(2)(D) of the Clean Air Act.

(h) Equivalent Visible Emissio
Limits (EVEL). (1) A 20% 2-hour opa
ity limit for the underfire stack
Bethlehem Steel Corporation's Co
Battery No. 2 in Porter County is a
proved as an EVEL to determine com
pliance with the 325 IAC 6-2 SIP lim
of 0.33 lbs/MMBTU. This EVEL is a
proved for as long as the SIP ma
emission limit for this source remai
the same as determined by 325 IAC
2 (October 6, 1980, submittal). S
§ 52.770(c)(6), (35), and (42).

(2) Revised opacity limits for th
boilers at Olin Corporation in Warre
County are approved at § 52.770(c)(
as an EVEL to determine complian
with the 325 IAC 6-2 SIP limit of 0.
lbs/MMBTU. This EVEL is approve
for as long as the SIP mass emissio
limit for this source remains the sam
as determined by 325 IAC 6-2 (Octob
6, 1980 submittal). See § 52.770(c)(
and (35).

(i) 325 IAC 6-2.1 is approved wit
the State's March 27, 1985, commi
ment that any "bubble" approved b
the State under 325 IAC 6-2.1-2(
and 3(b) will also be subject to th
State's general "bubble" regulatio
325 IAC 2-4. The State additional
committed that until such time as 3
IAC 2-4 is approved as a part of th
SIP, all such limits approved unde
the bubbling provisions of 325 IAC
2.1-2(b) and 3(b) will be submitted
site specific revisions to the SI
Unless and until these emission poi
specific limits are approved as a po
tion of the SIP, the SIP limit for eac
individual emission point will remai

e general limit calculated by means the formulae in 325 IAC 6-2.1-2(a) d 3(a), even though a revised emis-on point specific limit has been dopted by Indiana under 325 IAC 6-1-2(b) and 3(b). See 52.770(c)(50).

(j) The revised Lake County Total spended Particulates (TSP) Plan, mprised of submittals dated October 1983, October 24, 1983, and April 1984, is disapproved because the tate did not demonstrate that it as-res attainment and maintenance of e primary TSP National Ambient ir Quality Standards in Lake County, ndiana. See 40 CFR 51.10(b).

(k) On January 18, 1984, Indiana bmitted a visible emission limit on ke oven battery doors and a limit on tal dissolved solids content of coke uench makeup water for Battery umber One at Citizens Gas and Coke tility in Marion County. These limits re disapproved because they are im-ermissible relaxations of require-ents for new major stationary ources, as provided at § 52.21(j)(2) d section 173 of the Clean Air Act. e § 52.770(c)(60).

(l) The revised Porter County TSP lan, as submitted by Indiana on Octo-er 15, 1984, is disapproved, because e State did not demonstrate that it sures the attainment and mainte-ance of the primary TSP NAAQS in orter County, Indiana. See § 52.770(c)(61).

(m) The Indiana Part D TSP plan is isapproved insofar as it does not con-ain RACT level opacity limits for cer-ain process fugitive sources in TSP onattainment areas and, therefore, oes not meet the requirements of sec-ion 172 of the Clean Air Act.

7 FR 15084, July 27, 1972, as amended at 0 FR 50033, Oct. 28, 1975; 47 FR 30980, uly 16, 1982; 48 FR 54615, Dec. 6, 1983; 50 R 15145, Apr. 17, 1985; 50 FR 20569, May 7, 1985; 50 FR 21050, May 22, 1985; 51 FR 498, Jan. 17, 1986; 51 FR 11306, Apr. 2, 986; 51 FR 40676, Nov. 7, 1986; 52 FR 3644, eb. 5, 1987; 52 FR 4905, Feb. 18, 1987; 52 R 23038, June 17, 2987]

52.777 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of Subpart G f this chapter are not met because he plan does not provide for attain-ent and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the Metropolitan Indianapolis Intrastate Region by May 31, 1975.

(b) The requirements of Subpart G are not met by Revised APC-15 (November 8, 1974 submission) because it does not provide for attainment and maintenance of the photochemical oxidant (hydrocarbon) standards throughout Indiana.

(c) Part D—Conditional approval—The Indiana plan for Clark, Floyd, Elkhart, Lake, Marion, Porter, and St. Joseph Counties is approved provided the following conditions are satisfied:

(1) The plan for stationary source volatile organic compound control must contain the following:

(i)—(iv) [Reserved]

(v) For regulation 325 IAC 8-5, Section 6, Perchloroethylene Dry Cleaning, the State must conduct a study to demonstrate that the 1,500 gallons exemption meets RACT requirements and submit the results to EPA within 6 months of the effective date of final rulemaking on 325 IAC 8 for VOC from Group II CTG source categories. If the demonstrated emissions resulting from the State's exemption are not essentially equivalent to those resulting from the RACT requirements, then the State must submit to EPA by July 1, 1983, a rule which requires control of emissions from dry cleaning sources using less than 1,500 gallons of perchloroethylene per year.

[38 FR 16565, June 22, 1973, as amended at 41 FR 35677, Aug. 24, 1976; 48 FR 2127, Jan. 18, 1983; 51 FR 4916, Feb. 10, 1986; 51 FR 40676, Nov. 7, 1986; 52 FR 33591, Sept. 4, 1987]

§ 52.778 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since the compliance schedules for sources of nitrogen oxides extend over a period of more than 18 months and periodic increments of progress are not included.

(b) [Reserved]

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

INDIANA

Source	Location	Regulations involved	Date schedule adopted	Final complian date
		LAKE COUNTY		
American Maize Products Co	Roby	APC 5	Jan. 18, 1973	Apr. 1, 1974.
Jones & Laughlin Steel Corp	Hammond	APC 4R, APC 13.	Mar. 12, 1973	Mar. 31, 1974.

(d) The compliance schedule for the source identified below is disapproved not meeting the requirements of Subpart N of this chapter. All regulations cite are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date schedule adopted
	LAKE COUNTY		
Commonwealth Edison Co. of Indiana, Inc. (State Line Station).	Hammond	APC 13	Jan. 18, 1973.

[38 FR 12698 May 14, 1973, as amended at 39 FR 28158, Aug. 5, 1974; 51 FR 40675, 4067 40677, Nov. 7, 1986]

§ 52.779 [Reserved]

§ 52.780 Review of new sources and modifications.

(a) The requirements of § 51.160(a) of this chapter are not met in that the plan does not contain procedures to enable the State to determine whether construction or modification of coal burning equipment having a heat input of between 350,000 Btu per hour and 1,500,000 Btu per hour will result in violations of applicable portions of the control strategy and section 4(a)(2)(iii) of APC-19 is disapproved to the extent that it exempts coal burning equipment having a heat input of between 350,000 Btu per hour and 1,500,000 Btu per hour from pre-construction/modification review.

(b)-(c) [Reserved]

(d) Limited regulation for the review of new sources and modifications. (1) This requirement is applicable to any coal burning equipment other than smokehouse generators, having a heat input of between 350,000 Btu per hour (88.2 Mg-cal/h) and 1,500,000 Btu per hour (378.0 MG cal/h), the construction of which was commenced after May 14, 1973.

(2) No owner or operator shall commence construction or modification of any coal burning equipment subject to this regulation without first obtainin approval from the Administrator o the location and design of such source

(i) Application for approval to construct or modify shall be made o forms furnished by the Administrator

(ii) A separate application is required for each source.

(iii) Each application shall be signe by the applicant.

(iv) Each application shall be accompanied by site information, plans, descriptions, specifications, and drawing showing the design of the source, th nature and amount of emissions, an the manner in which it will be operated and controlled.

(v) Any additional information plans, specifications, evidence, or documentation that the Administrator ma require shall be furnished upon request.

(3) No approval to construct o modify will be granted unless the applicant shows to the satisfaction of th Administrator that:

(i) The source will operate withou causing a violation of any local, State or Federal regulation which is part o the applicable plan; and

(ii) The source will not prevent o interfere with attainment or maintenance of any national standard.

(4) (i) Within twenty (20) days after eipt of an application to construct, any addition to such application, Administrator shall advise the ner or operator of any deficiency in information submitted in support the application. In the event of ch a deficiency, the date of receipt the application for the purpose of agraph (d)(4)(ii) of this section, all be the date on which all required ormation is received by the Admin- rator.

(ii) Within thirty (30) days after re- pt of a complete application, the ministrator shall:

(a) Make a preliminary determina- n whether the source should be ap- oved, approved with conditions, or approved.

(b) Make available in at least one lo- tion in each region in which the pro- ed source would be constructed, a py of all materials submitted by the ner or operator, a copy of the Ad- nistrator's preliminary determina- n and a copy or summary of other terials, if any, considered by the ministrator in making his prelimi- ry determination; and

(c) Notify the public, by prominent vertisement in a newspaper of gen- al circulation in each region in hich the proposed source would be nstructed, of the opportunity for ritten public comment on the infor- tion submitted by the owner or op- tor and the Administrator's prelim- ary determination on the approva- ity of the source.

(iii) A copy of the notice required rsuant to this paragraph shall be t to the applicant and to state and al air pollution control agencies, ving cognizance over the location here the source will be situated.

(iv) Public comments submitted in riting within thirty (30) days after e date such information is made ilable shall be considered by the ministrator in making his final deci- n on the application. No later than n (10) days after the close of the blic comment period, the applicant y submit a written response to any mment submitted by the public. The ministrator shall consider the appli- nt's response in making his final de- ion. All comments shall be made available for public inspection in at least one location in the region in which the source would be located.

(v) The Administrator shall take final action on an application within thirty (30) days after the close of the public comment period. The Administrator shall notify the applicant in writing of his approval, conditional approval, or denial of the application, and shall set forth his reasons for conditional approval or denial. Such notification shall be made available for public inspection in at least one location in the region in which the source would be located.

(vi) The Administrator may extend each of the time periods specified in paragraph (d)(4)(ii), (iv) or (v) of this section by no more than 30 days, or such other period as agreed to by the applicant and the Administrator.

(5) The Administrator may impose any reasonable conditions upon an approval, including conditions requiring the source to be provided with:

(i) Sampling ports of a size, number, and location as the Administrator may require,

(ii) Safe access to each port,

(iii) Instrumentation to monitor and record emission data, and

(iv) Any other sampling and testing facilities.

(6) The Administrator may cancel an approval if the construction is not begun within 2 years from the date of issuance, or if during the construction, work is suspended for 1 year.

(7) Any owner or operator subject to the provisions of this regulation shall furnish the Administrator written notification as follows:

(i) A notification of the anticipated date of initial startup of a source not more than 60 days or less than 30 days prior to such date.

(ii) A notification of the actual date of initial startup of a source within 15 days after such date.

(8) Within 60 days after achieving the maximum production rate at which the source will be operated but not later than 180 days after initial startup of such source, the owner or operator of such source shall conduct a performance test(s) in accordance with methods and under operating conditions approved by the Adminis-

trator and furnish the Administrator a written report of the results of such performance test.

(i) Such test shall be at the expense of the owner or operator.

(ii) The Administrator may monitor such test and may also conduct performance tests.

(iii) The owner or operator of a source shall provide the Administrator 15 days prior notice of the performance test to afford the Administrator the opportunity to have an observer present.

(iv) The Administrator may waive the requirement of performance tests if the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the source is being operated in compliance with all local, State, and Federal regulations which are part of the applicable plan.

(9) [Reserved]

(10) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with all local, State, and Federal regulations which are part of the applicable plan.

(11) Any owner or operator who constructs, modifies, or operates a stationary source not in accordance with the application, as approved and conditioned by the Administrator, or any owner or operator of a stationary source subject to this paragraph who commences construction or modification without applying for and receiving approval hereunder, shall be subject to enforcement action under section 113 of the Act.

(e) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(f) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation of the plan for the State of Indiana.

(g) Delegation of authority. (1) The Administrator shall have the authority to delegate responsibility for implementing the procedures for conducting source review pursuant to this section in accordance with paragraphs (f)(2), (3), and (4) of this section.

(2) Where the Administrator dele
gates the responsibility for implement
ing the procedures for conductin
source review pursuant to this sectio
to any Agency, other than a Region
Office of the Environmental Prote
tion Agency, a copy of the notice pu
suant to paragraph (d)(4)(iii) of th
section shall be sent to the Admini
trator through the appropriate R
gional Office.

(3) In accordance with Executiv
Order 11752, the Administrator's au
thority for implementing the proc
dures for conducting source revie
pursuant to this section shall not b
delegated, other than to a Region
Office of the Environmental Prote
tion Agency, for new or modifie
sources which are owned or operate
by the Federal government or for ne
or modified sources located on Feder
lands; except that, with respect to th
latter category, where new or modifie
sources are constructed or operated o
Federal lands pursuant to leasing o
other Federal agreements, the Feder
Land Manager may at his discretio
to the extent permissible under appl
cable statutes and regulations, requi
the lessee or permittee to be subject
new source review requirements whic
have been delegated to a state or loc
agency pursuant to this paragraph.

(4) The Administrator's authorit
for implementing the procedures f
conducting source review pursuant
this section shall not be redelegate
other than to a Regional Office of th
Environmental Protection Agency, f
new or modified sources which are l
cated in Indian reservations exce
where the State has assumed jurisdi
tion over such land under other la
in which case the Administrator m
delegate his authority to the States
accordance with paragraphs (g) (
(3), and (4) of this section.

[37 FR 10863, May 31, 1972, as amended
38 FR 12698, May 14, 1973; 39 FR 4663, F
6, 1974; 39 FR 7281, Feb. 25, 1974; 40
50270, Oct. 29, 1975; 51 FR 40677, Nov.
1986]

§ 52.781 Rules and regulations.

(a) [Reserved]

(b) A part of the second sentence
section 3, APC-17, which stat

here there is a violation or potenl violation of ambient air quality ndards, existing emission sources or y existing air pollution control uipment shall comply with this regation * * *", is disapproved since it kes the regulation unenforceable the State agency.

(c)-(d) [Reserved]

(e) Section 2(d) of APC-20, Fugitive st Emissions, is disapproved beuse it is unenforceable within the rms of the regulation.

(f) Subsections 3(b)(3) and 3(b)(5) of PC-2 (May 18, 1977) are disapproved cause they are unenforceable within e terms of the regulation.

7 FR 10863, May 31, 1972, as amended at FR 15084, July 27, 1972; 38 FR 12698, ay 14, 1973; 40 FR 50033, Oct. 28, 1975; 43 R 26722, June 22, 1978]

2.782 Request for 18-month extension.

(a) The requirements of § 51.341 of s chapter are not met since the request for an 18-month extension for submitting that portion of the plan that implements the secondary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region does not show that attainment of the secondary standards will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology.

[37 FR 10863, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.783 Attainment dates for national standards.

(a) The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Indiana's plan, except where noted.

POLLUTANT

ir quality control region	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
t Central Indiana Intrastate (AQCR 76):							
a. Primary and Secondary	n	n	h	f	m	l	l.
b. Remainder of AQCR	a	a	a	a	e	e	e.
ville (Indiana)-Owensboro, enderson (Kentucky) Interate (AQCR 77):							
a. Primary and Secondary	l	o	f	f	m	l	m.
b. Remainder of AQCR	a	a	d	a	e	e	e.
ville Interstate (AQCR 78):							
a. Primary and Secondary	h	o	f	f	m	l	j.
b. Remainder of AQCR	a	a	a	a	e	a	a.
ropolitan Chicago Interstate (Indiana-Illinois) (AQCR 67):							
a. Primary and Secondary	h	o	h	f	m	j	j.
b. Remainder of AQCR	a	c	a	c	a	a	a.
ropolitan Cincinnati Interate (AQCR 79):							
a. Primary and Secondary	h	o	f	f	m	l	l.
b. Remainder of AQCR	a	a	d	a	e	a	a.
ropolitan Indianapolis Interate (AQCR 80):							
a. Primary and Secondary	h	o	h	f	m	h	h.
b. Remainder of AQCR	a	a	a	f	a	k,g	k.
heast Indiana Intrastate (AQCR 81):							
a. Primary and Secondary	l	l	f	f	m	l	h.
b. Remainder of AQCR	a	a	e	e	e	e	e.
th Bend-Elkhart (Indiana) enton Harbor (Michigan) erstate (AQCR 82):							
a. Primary and Secondary	l	o	f	f	m	l	h.
b. Remainder of AQCR	a	a	a	a	e	e	e.

POLLUTANT—Continued

Air quality control region	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozo
	Primary	Secondary	Primary	Secondary			
Southern Indiana Intrastate (AQCR 83):							
a. Primary and Secondary	h	o	*l*	*l*	m	l	l
b. Remainder of AQCR	*a*	*a*	*a*	*a*	e	e	e
Wabash Valley Intrastate (AQCR 84):							
a. Primary and Secondary	h	o	*h*	*l*	m	l	l
b. Remainder of AQCR	*a*	*a*	*a*	*a*	e	e	e

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provid specific date or the date provided was not acceptable.

NOTE 2: For actual nonattainment designations, refer to 40 CFR Part 81.

NOTE 3: Sources subject to the plan requirement and attainment dates established under section 110(c)(2)(A) prior to 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The ea attainment dates are set out at 40 CFR 52.783

a. July 1975.
b. Five years from plan approval or promulgation.
c. Eighteen-month extension granted.
d. Air quality levels presently below the primary standards.
e. Air quality levels presently below the secondary standards.
f. Thirteen-month extension granted.
g. Transportation and/or land use control strategy to be submitted no later than April 15, 1973.
h. December 31, 1982.
i. December 31, 1985.
j. December 31, 1987.
k. May 31, 1975.
l. None designated.
m. Attainment date will be specified in the future.
n. November 2, 1981.
o. December 31, 1989.

[47 FR 6275, Feb. 11, 1982, as amended at 47 FR 30980, July 16, 1982]

§ 52.784 Transportation and land use controls.

(a) To complete the requirements of Subpart L and Subpart G of this chapter, the Governor of Indiana must submit to the Administrator:

(1) No later than April 15, 1973, transportation and/or land use control strategies and a demonstration that said strategies, along with Indiana's presently adopted stationary source emission limitations for carbon monoxide and hydrocarbons and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Indianapolis Intrastate Region by May 31, 1975. By such date (April 15, 1973), the State also must submit a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation and/or land use control strategies by May 31, 1975.

(2) No later than July 30, 1973, th legislative authority that is needed fo carrying out such strategies.

(3) No later than December 30, 197 the necessary adopted regulations an administrative policies needed to implement such strategies.

[38 FR 7326, Mar. 20, 1973, as amended a 51 FR 40676, Nov. 7, 1986]

§ 52.785 Control strategy: Carbon monoxide.

(a) The requirements of Subpart G of this chapter are not met becaus the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Metropolitan Indianapolis Intrastat Region by May 31, 1975.

[38 FR 16565, June 22, 1973, as amended a 51 FR 40676, Nov. 7, 1986]

§ 52.786 Inspection and maintenance program.

(a) Definitions:

(1) "Inspection and maintenance program" means a program to reduce emissions from in-use vehicles through

ntifying vehicles that need emission
trol related maintenance and re-
ring that such maintenance be per-
med.

2) "Light-duty vehicle" means a
tor vehicle rated at 6,000 lb. GVW
ss vehicle weight) or less.

3) All other terms used in this sec-
n that are defined in Part 51, Sub-
t G of this chapter, are used herein
h the meanings so defined.

b) This regulation is applicable in
County of Marion, Indiana (in-
ding all cities, towns and municipal
porations therein).

c) The State of Indiana shall estab-
h and cause the implementation of
inspection and maintenance pro-
m applicable to all gasoline-pow-
d light duty vehicles which are reg-
ered in Marion County. Such pro-
m shall conform with this § 52.786.
e Consolidated City of Indianapolis,
County of Marion, and other mu-
ipalities within the County of
rion, shall take all legislative, exec-
ve, or other action necessary to es-
blish and implement the program re-
ired by this regulation.

(d) Not later than April 1, 1975, the
ate of Indiana, the County of
arion and the Consolidated City of
dianapolis shall jointly submit to
e Administrator, for his approval, le-
lly adopted legislation and/or regu-
ions establishing the regulatory
heme for the inspection/mainte-
nce program required by paragraph
) of this section. The legislation and/
regulations shall include:

(1) Provisions requiring inspection of
l light-duty motor vehicles subject to
e inspection program required by
ragraph (c) of this section at period-
intervals no more than 1 year apart
means of an idle test. Any class or
tegory of vehicles that are found to
rarely used on public streets and
ghways (such as classic or antique
hicles) may be exempted.

(2) Provisions for regulatory criteria
at are consistent with achieving an
percent reduction of hydrocarbon
issions from light-duty vehicles.

(3) Provisions ensuring that failed
hicles receive, within 30 days, the
aintenance necessary to achieve
mpliance with the inspection stand-
ds. These provisions shall impose sanctions against owners of non-complying vehicles, require retest of failed vehicles following maintenance, require a suitable distinctive tag or sticker for display on complying vehicles, and include such other measures as are necessary or appropriate.

(4) Provisions establishing a certification program to ensure that testing stations performing the required tests have the necessary equipment and knowledgeable operators to perform the tests satisfactorily, imposing sanctions against non-complying testing stations, and containing such other measures as necessary or appropriate to a testing program.

(5) Provisions prohibiting vehicles from being intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them no longer to comply with the inspection standards. These may include authorization of spot checks of idle adjustments or of a suitable type of physical seal or tag on vehicles. These provisions shall include appropriate penalties for violation by any person.

(6) Designation of agency or agencies responsible for conducting, overseeing, and enforcing the inspection/maintenance program. Private parties may be designated to conduct parts of the program to certify compliance.

(e) After July 1, 1976, the State of Indiana, County of Marion, the Consolidated City of Indianapolis, and other municipalities in Marion County shall not allow the operation on streets, roads, or highways under their ownership or control of any light duty motor vehicle subject to the inspection program established pursuant to paragraph (c) of this section that does not comply with the applicable standards and procedures adopted in accordance with paragraph (d) of this section.

(f) After July 1, 1976, no person shall operate or allow the operation of any motor vehicle subject to the inspection program established pursuant to paragraph (c) of this section that does not comply with the applicable standards and procedures adopted in accordance with paragraph (d) of this section.

(g) No later than October 1, 1974, the State of Indiana, County of

Marion, and the Consolidated City of Indianapolis shall jointly submit to the Administrator, for his approval, a detailed compliance schedule showing the steps they will take to establish, operate and enforce the inspection program required by paragraph (c) of this section including:

(1) A detailed description of the inspection program required by paragraph (c) of this section (including a description of the way in which the program will be established, operated, and enforced and the respective responsibilities of the State, county, and municipalities for such tasks).

(2) A description of the legal authority for establishing and enforcing the inspection/maintenance program, including the text of proposed or adopted legislation and regulations.

(3) Specific dates (day, month, and year) by which various steps to implement the inspection/maintenance system will be completed, such steps to include, at a minimum, the following: submitting final plans and specifications for the system to the Administrator for this approval (this date to be no later than February 1, 1975), ordering necessary equipment (this date to be no later than April 15, 1975), commencement of onsite construction and/or installation, and system operational (this date to be no later than July 1, 1975).

(4) An identification of the sources and amounts of funds necessary to implement the system together with written assurances from the chief executive officers of the State, city, and county that they will seek such necessary funding from the appropriate legislative bodies.

(5) Other provisions necessary or appropriate to carry out the program.

(h) Part D—Conditional Approval—The Indiana I/M Plan for Clark, Floyd, Lake and Porter Counties is approved provided that the following conditions are met.

(1) The State must submit a detailed description of its enforcement procedures by December 31, 1980.

(2) The State must submit by June 30, 1981 the general order issued to vehicle owners in the affected areas and the commitments by responsible enforcement officials to ensure compliance with the general order.

[39 FR 12348, Apr. 5, 1974, as amended at 4
FR 38, Jan. 2, 1981; 51 FR 40677, Nov. 7
1986]

§ 52.787 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the County of Marion, Indiana (including all cities, towns and municipal corporations therein).

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary source container with a capacity greater than 250 gallons unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a control system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary storage container location. The control system shall include one or more of the following:

(1) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container. If a "vapor-balance return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system or equivalent system connected to the stationary storage container.

(2) Refrigeration-condensation system or adsorption system connected to the stationary storage container.

(3) An equivalent system, approved by the Administrator or his designee, designed to recover or eliminate no less than 90 percent by weight of the organic compounds in the displaced vapor.

(d) No person shall own or operate a delivery vessel containing gasoline unless the delivery vessel is so designed and maintained as to be vapor-tight at all times. This paragraph (d) shall not apply to delivery vessels in nsit through Marion County which ither are filled nor deliver gasoline erein, nor shall this paragraph (d) e construed to prohibit safety-valves n other devices required by govern- ental safety regulations. Delivery essels which are filled in Marion ounty but do not deliver in Marion ounty may be controlled only for fill- g.

(e) No person shall own or operate a cility for the filling of delivery ves- ls with gasoline unless the facility is uipped with a control system, which n recover or eliminate at least 90 ercent by weight of the organic com- ounds in the vapors displaced from he delivery vessel during refilling. Fa- ilities which have a daily throughput f 20,000 gallons or less are required to ave a vapor recovery system in oper- tion no later than May 31, 1977. De- ivery vessels and storage containers erved exclusively by facilities re- uired to have a vapor recovery ystem in operation no later than May 1, 1977, also will be required to meet he provisions of this section no later han May 31, 1977.

(f) After March 1, 1976, no person hall intentionally release gasoline apors from a delivery vessel, except o a control system that can recover or liminate at least 90 percent by weight f organic compounds in the vapors re- eased.

(g) The provisions of paragraph (c) f this section shall not apply to the ollowing:

(1) Stationary containers having a apacity less than 550 gallons used ex- lusively for the fueling of farming quipment.

(2) Any stationary container having capacity less than 2,000 gallons in- talled prior to promulgation of this aragraph.

(3) Transfer made to storage tanks quipped with floating roofs or their quivalent.

(4) Gasoline storage compartments f 1,000 gallons or less in gasoline de- ivery vessels in use on the promulgat- d date of this regulation will not be equired to be retrofitted with a vapor eturn system until January 1, 1977.

(h) The operation of a source, otherwise, subject to paragraph (c), (d), or (e) of this section, shall not be a violation of paragraph (c), (d), or (e), respectively, if the following acts shall be completed with respect to such source before the following dates:

(1) October 1, 1974. The owner of the source or his designee shall submit to the Administrator, a final control plan, which describes at a minimum the steps that will be taken by the source to achieve compliance with the applicable provisions of paragraphs (c), (d), and (e) of this section.

(2) March 1, 1975. Negotiate and sign all necessary contracts for control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) May 1, 1975. Initiate on-site construction or installation of control system equipment.

(4) February 1, 1976. Complete on-site construction or installation of control system equipment.

(5) March 1, 1976. Achieve final compliance with the applicable provisions of paragraphs (c), (d), and (e) of this section.

(6) Any owner of a source subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(i) As an alternative to compliance with the schedule under paragraph (h) of this section:

(1) The owner of a source which is in compliance with the provisions of paragraph (c), (d), or (e) of this section, shall certify such compliance to the Administrator by October 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) A source for which a compliance schedule is adopted by the State and approved by the Administrator may operate in conformity with such compliance schedule.

(3) The owner of a source may submit to the Administrator, by October 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after March 1, 1976. Until promulgated by the Administrator, such source shall conform with applicable portions of paragraph (c), (d), (e), or (h) of this

section. Upon promulgation of the compliance schedule by the Administrator, no person shall own or operate the source except in conformity with the promulgated schedule.

(j) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (h) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(k) Any new container, facility, or vessel subject to this regulation that is placed in operation after October 1, 1974, shall within 30 days of commencing operation submit a compliance schedule in conformity with paragraph (i) of this section and shall otherwise comply with this section. Any facility subject to this regulation that is placed in operation after March 1, 1976, shall comply with the applicable requirements of this section immediately upon commencing operation.

[39 FR 12349, Apr. 5, 1974, as amended at 39 FR 41253, Nov. 26, 1974; 41 FR 56643, Dec. 29, 1976; 42 FR 29004, June 7, 1977]

§§ 52.783—52.791 [Reserved]

§ 52.792 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met because the State neither identified areas of the State that have the potential for violation of air quality standards within 10 years nor provided a justification that there are no such areas in the State.

(b) The areas listed below are identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial areas of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Evansville Interstate Air Quality Maintenance Area (Indiana portion).

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of the area:

Vanderburgh County.

(2) Illinois-Indiana-Wisconsin Interstate Air Quality Maintenance Area (Indiana portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of the area:

Porter County, Lake County.

(3) Indianapolis Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of the area:

Marion County.

(4) Louisville Interstate Air Quality Maintenance Area (Indiana portion).

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of the area:

Clark County, Floyd County.

[40 FR 23753, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.793 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) *Regulations for preventing significant deterioration of air quality.* The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Indiana.

(c) All applications and other information required pursuant to § 52.21 from sources located in the State of Indiana shall be submitted to the Commissioner, Indiana Department of Environmental Management, 105

th Meridian Street, P.O. Box 6015,
anapolis, Indiana 46206.

R 52741, Aug. 7, 1980, as amended at 53
8985, May 26, 1988]

794 Source surveillance.

) The requirements of 51.212 of
chapter are not met by the phrase
more than a cumulative total of
minutes in a 24-hour period" con-
ed in section 1 of APC-3 of the In-
a Air Pollution Control Regula-
.

) [Reserved]

) 325 IAC 5-1 (October 6, 1980, sub-
al—§ 52.770(c)(53)) is disapproved
he Lake County sources specifical-
ted in Table 2 of 325 IAC 6-1-10.2
.770(c)(57)); for pushing and
ching sources throughout the
e (August 27, 1981, 325 IAC 11-3-2
nd (h)—§ 52.770(c)(42)); and for
oven doors in Lake and Marion
nties (325 IAC 11-3-2(f)—
770(c)(42)). Applicability of this
lation to these sources is being
pproved because 325 IAC 5-1 does
neet the enforceability require-
ts of § 51.22 as it applies to these
ces. Opacity limits in 325 IAC 6-1-
and certain opacity limits in 325
11-3 supersede those in 325 IAC
and USEPA has previously disap-
ed these superseding regulations
.776 (j), (g), and (f), respectively).

R 50033, Oct. 28, 1975; 41 FR 3475,
23, 1976, as amended at 48 FR 55860,
16, 1983; 51 FR 40676, 40677, Nov. 7,
52 FR 3644, Feb. 5, 1987; 52 FR 23038,
17, 1987]

95 Control strategy: Sulfur dioxide.

Revised APC-13 (December 5,
submission) of Indiana's Air Pol-
n Control regulations (sulfur di-
e emission limitation) is disap-
ed insofar as the provisions identi-
below will interfere with the at-
nent and maintenance of the
r dioxide ambient air quality
dards:

The phrase "equivalent full load"
ction 1(b)(2).

The formula "$E_p=17.0\ Q_m{}^{0.67}$
e $E_p=E_m \times Q_m$" in section 2(a).

The phrase "Direct fired process
tions" in sections 2(a), 3(c), 4(b),
(c).

(4) The modification of Q_m for non-Indiana coal as expressed in Section 2(a).

(b) The requirements of § 51.281 are not met by Warrick and Culley electrical generating stations enforcement orders which would revise the sulfur dioxide emission limitations for these two stations.

(c) The requirements of § 51.110(e) are not met by Wayne, Dearborn, Jefferson, Porter, and Warrick Counties.

(d) [Reserved]

(e) Part D—Conditional Approval)—The Indiana plan for Lake, LaPorte, and Marion Counties is approved provided that the following conditions are satisfied:

(1) *Lake County.* The plan must either contain an acceptable demonstration that the 24-hour standard is the constraining standard or 3-hour and annual attainment analyses must be provided. The plan must justify appropriate SO_2 background levels for all averaging periods. These must be used in all analyses. The plan must contain a complete emission inventory, including process sources. This inventory must be appropriately used in all analyses. Adequate receptor resolution must be used in the attainment analyses. The plan must be based on NIPSCO Mitchell Station's existing stack height. If revisions to the Lake County limitations are necessary, they must be submitted as revisions to the SIP.

(2) *LaPorte County.* The plan must either contain an acceptable demonstration that the 24-hour standard is the constraining standard or 3-hour and annual attainment analyses must be provided. The plan must justify appropriate SO_2 background levels for all averaging periods. They must be used in all analyses. If revisions to the emission limitation are necessary, they must be submitted as revisions to the SIP.

(3) *Marion County.* The plan must either contain an acceptable demonstration that the 24-hour standard is the constraining standard or 3-hour and annual attainment analyses must be provided. The plan must justify appropriate background level for all averaging periods. These must be used in all analyses. The plan must justify

the adequacy of the resolution in the computer modeling receptor network. The plan must contain a complete emission inventory, including process sources. This inventory must be appropriately used in all analyses. If the plan is based on changes in existing stack heights, these revised stack heights must be State-enforceable requirements and must be submitted as revisions to the SIP. If revisions to the emission limitations are necessary, they must be submitted as revisions to the SIP.

[41 FR 35677, Aug. 24, 1976, as amended at 42 FR 34519, July 6, 1977; 47 FR 10825, Mar. 12, 1982; 47 FR 39168, Sept, 7 1982; 49 FR 585, Jan. 5, 1984; 51 FR 40676, 40677, Nov. 7, 1986; 53 FR 1358, Jan. 19, 1988]

§ 52.796 Industrial continuous emission monitoring.

(a) APC-8, Appendix I 1.2.3, 3.3, and 6.0 are disapproved because they do not meet the requirements of 40 CFR 51.214.

(b)(1) The requirements of 40 CFR 51, Appendix P 3.3 are hereby incorporated and made a part of the applicable implementation plan for the State of Indiana.

(2) APC-8 does not apply to any source scheduled for retirement by October 6, 1980, or within five years after the promulgation of continuous emission monitoring requirements for that source category in 40 CFR Part 51, Appendix P 1.1, provided that adequate evidence and guarantees are provided that clearly show that the source will cease operations on or before such date.

[43 FR 26722, June 22, 1978, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.797 Control strategy: Lead.

Indiana's control strategy for lead is approved except as noted below:

(a) Indiana's plan for the vicinity of the RSR Quemetco facility in Marion County has not been acted upon.

(b) Indiana's plan for the vicinity of the Hammond Lead HLP-Halox facility is approved with the stipulation that Indiana and Hammond Lead adhere to the requirements of 325 IAC 15-1-2(a) (B), (C), and (D) and the State's June 9, 1987, commitments. See 40 CFR 52.770(c)(65)(ii)(C).

[53 FR 12905, Apr. 19, 1988]

Subpart Q—Iowa

§ 52.820 Identification of plan.

(a) Title of plan: "State of Iowa
Pollution Control Implementat
Plan."

(b) The plan was officially submit
on January 27, 1972.

(c) The plan revisions listed be
were submitted on the dates specif

(1) Request for a two-year extens
to meet the National Primary and
ondary Ambient Air Quality St
ards for nitrogen dioxide in the Me
politan Omaha-Council Bluffs In
state Air Quality Control Region
submitted by the Governor on J
ary 27, 1972. (Non-regulatory)

(2) Revisions of Appendices D an
of the plan were submitted on Fe
ary 2, 1972, by the State Departn
of Health. (Non-regulatory)

(3) Source surveillance and re
maintenance statements were sub
ted on April 14, 1972, by the State
partment of Health. (Non-regulato

(4) Revised statement regar
public availability of emission
was submitted on May 2, 1972, by
State Department of Health. (Non
ulatory)

(5) State submitted Senate Fil
which created the Department of
vironmental Quality and replaced
Iowa air pollution control st
which appeared as Chapter 136
the Code of Iowa, on May 4,
(Regulatory)

(6) A letter describing the issu
of a Certificate of Acceptance fo
local air pollution control prog
conducted by the Linn County
of Health for the jurisdictions o
City of Cedar Rapids and
County, and the Des Moines
County Health Department for t
risdictions of the City of Des M
and Polk County was submitted b
State Department of Health o
cember 14, 1972. (Non-regulatory

(7) Compliance schedules were
mitted by the State in February
(Regulatory)

(8) Compliance schedules were
mitted by the State in May 1973.
ulatory)

(9) The State of Iowa High Air Pollution Episode Contingency Plan was submitted on June 20, 1973, by the Governor.

(10) The letter which requested the inclusion of the Linn County Health Department Rules and Regulations, the City of Cedar Rapids Air Pollution Control Ordinance, the Polk County Rules and Regulations—Air Pollution Control, and the City of Des Moines Air Pollution Control Regulations in the State of Iowa implementation plan was submitted by the State Department of Environmental Quality on June 25, 1974. (No approval action was taken on the request because it did not meet the procedural requirements specified in 40 CFR Part 51.)

(11) Revisions of Rules 2.1, 3.1, 3.4, 4.1, 4.3(3) and 4.3(4) of the Iowa Rules and Regulations Relating to Air Pollution Control were submitted on April 24, 1974 (by the Governor's office). (No approval or disapproval action was taken on amended Subrule 4.3(3)a., which restricts emissions of sulfur oxides from fuel-burning sources.) (Regulatory)

(12) Compliance schedules were submitted by the State in May 1974.

(13) Compliance schedules were submitted by the State in May 1974.

(14) Compliance schedules were submitted by the State in July 1974.

(15) Compliance schedules were submitted by the State in August 1974.

(16) A letter from the Director of the Department of Environmental Quality, dated August 29, 1974, which requested that no further action be taken on Subrule 4.3(3) a. as submitted on April 24, 1974. (Regulatory)

(17) Compliance schedules were submitted by the State in September 1974.

(18) Compliance schedules were submitted by the State in November 1974.

(19) Compliance schedules were submitted by the State in February 1975.

(20) Compliance schedules were submitted by the State in April 1975.

(21) Compliance schedules were submitted by the State in June 1975.

(22) Revisions of Rules 1.2, 2.1, 3.1, 3.4, 4.1, 4.2, 4.3, 5.1, 7.1, 8.3 and 8.4 of the Iowa Rules and Regulations Relating to Air Pollution Control were submitted on July 17, 1975, by the Governor's office. (Regulatory) (No approval or disapproval action was taken on Subrules 4.3(2)c. or 4.3(3)b.)

(23) Summary of the public hearing which was held on the revised rules which were submitted on July 17, 1975, by the Governor's office was submitted by the Iowa Department of Environmental Quality on September 3, 1975. (non-regulatory)

(24) Letter which withdrew amended Subrule 4.3(2)c. from the proposed Iowa plan revision submitted on July 17, 1975, was submitted by the Governor's office on January 20, 1976.

(25) Revisions to Rules 1.2, 2.1, 3.1, 3.2, 4.1, 4.3, 4.4, and new Chapters 14 and 52 of the Iowa Administrative Code Relating to Air Pollution Control were submitted June 9, 1976, by the Department of Environmental Quality (Subrules 4.3(3)a(1) and 4.3(3)a(5) were disapproved).

(26) Additional air quality modeling to support the sulfur dioxide emission standards of Subrules 4.3(3)a(1) and 4.3(3)a(2) was submitted March 4, 1977, by the Department of Environmental Quality (Non-regulatory).

(26a) Revisions of Rules 1.2, 4.3(2)b, 4.4(6), 4.4(12) and of Chapter 7 of the Iowa Administrative Code relating to Air Pollution Control were submitted June 20, 1977, by the Department of Environmental Quality.

(27) Nonattainment plan provisions as required by the Clean Air Act Amendments of 1977 were submitted on June 22, 1979, by the Department of Environmental Quality. The submission included amended rule 4.3(2) relating to fugitive dust and new rule 4.5 relating to offsets for particulate matter. The revisions included attainment plans for particulate in Mason City and Davenport, particulate and ozone in Cedar Rapids and particulate and carbon monoxide in Des Moines. The submission was disapproved in part for failure to meet the requirements of Section 173 and was conditionally approved with respect to several requirements.

(28) On October 8, 1979, the Iowa Department of Environmental Quality submitted additional information to support the June 22, 1979, submission.

(29) On November 16, 1979, the Iowa Air Quality Commission submitted ad-

ditional information and commitments to allow approval or conditional approval of portions of the June 22, 1979, submission.

(30) Nonattainment plan provisions as required by the Clean Air Act Amendments of 1977 were submitted on April 18, 1980, by the Department of Environmental Quality. The submission included amended rule 4.3(2) relating to fugitive dust and amended rule 3.5 relating to particulate matter offsets. The revisions included plans to attain the secondary particulate standards for all areas designated nonattainment as of March 6, 1980. The submission was conditionally approved with respect to several requirements.

(31) The State of Iowa Lead State Implementation Plan was submitted on August 19, 1980 by the Director of the Department of Environmental Quality.

(32) Additional information to support the April 18, 1980 submission was submitted on September 16, 1980, by the Department of Environmental Quality.

(33) Additional information to support the April 18, 1980 submission was submitted on November 17, 1980, by the Department of Environmental Quality.

(34) A revised Chapter 5, dealing with excess emissions and malfunctions was submitted on December 23, 1980, by the Department of Environmental Quality.

(35) [Reserved]

(36) A letter was submitted dated January 19, 1981 by the Director of the Department of Environmental Quality which provided additional information concerning the Iowa Lead State Implementation Plan.

(37) A variance from 400—4.2(1) of the Iowa Administrative Code for the Iowa Army Ammunition Plant at Middletown, Iowa, was submitted on October 19, 1979 by the Executive Director.

(38) Revisions to Subrule 400—4.3(2)"c" relating to fugitive emissions control and a document describing how this subrule is to be enforced were submitted on June 1, 1981, by the Department of Environmental Quality.

(39) A schedule for studying nontraditional sources of particulate matter and for implementing the results of the studies in the form of control strategies was submitted on June 26, 1981 by the Department of Environmental Quality. (Non-Regulatory).

(40) Revisions to Subrule 400—4.3(2)"b" relating to particulate emissions from fuel burning sources were submitted on July 31, 1981, by the Department of Environmental Quality.

(41) The Iowa Ambient Air Monitoring Strategy was submitted July 15, 1981, by the Department of Environmental Quality (non-regulatory).

(42) A conditional permit containing an alternative emission reduction program for the Progressive Foundry, Inc., of Perry, Iowa, under 400-3.7 and 400-4.6 of the Iowa Administrative Code; and an administrative order setting forth a compliance schedule, were submitted on December 18, 1981, by the Executive Director. The conditional permit specifies particulate emissions not to exceed 16.3 pounds per hour from the gray iron cupola with a process weight rate not to exceed 8534 pounds per hour and specifies the casting shakeout exhaust system shall not exceed 0.05 grains per standard cubic foot nor 12.8 pounds per hour of particulate matter. The compliance schedule specifies a final compliance date of September 1, 1983.

(43) On July 1, 1983, the State's air pollution control regulations were recodified at Department 900, Title II, Chapters 20 through 29.

(44) Revised Chapter 22 regulations, dealing with new source review in nonattainment areas, were submitted on July 18, 1984, by the Iowa Department of Water, Air and Waste Management. Subrules 22.5(4) g, i, and j remain unapproved. EPA will temporarily defer action on these subrules pending a May 14, 1985, commitment from the State to submit appropriate revisions.

(i) Incorporation by reference. Revised Chapter 22 regulations, dealing with new source review in nonattainment areas, adopted by the State on July 17, 1984.

(ii) Additional material. May 14, 1985, letter of commitment from the State to revise unapprovable portions of their Chapter 22 air pollution regulations.

(45) Revised Chapter 22 subrules 2.5(2) a and b; and revised subrules 2.5(4) g, i, and j, all relating to new ource review in nonattainment areas, ere submitted on December 31, 1985, y the Iowa Department of Water, Air nd Waste Management.

(a) Incorporation by reference.

(i) Revised Chapter 22 subrules 2.5(2) a and b; and subrules 22.5(4) g, and j, adopted by the State on De- ember 17, 1985.

(ii) April 22, 1986, letter of commit- ent from the Iowa Department of Vater, Air and Waste Management to ubmit stack height regulations by ay 30, 1986, and to implement EPA's ack height requirements until such me that the regulations are fully ap- roved.

(46) Revised Chapter 22 regulations ertaining to new source review in at- inment and unclassified areas of the ate (PSD) were submitted on March 9, 1987, by the Iowa Department of Natural Resources.

(i) Incorporation by reference.

(A) Iowa Administrative Bulletin (ARC 7446), amendments to Chapter 22, "Controlling Pollution," adopted by the Iowa Environmental Protection Commission on February 17, 1987.

(B) Letter from Iowa dated April 22, 1987, committing to implementation of its stack height regulations in a manner consistent with EPA's stack height regulations with respect to new source review/PSD regulations.

[37 FR 10865, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.820, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.821 Classification of regions.

The Iowa plan was evaluated on the basis of the following classification:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
opolitan Omaha-Council Bluffs Interstate	I	II	III	III	III
ropolitan Sioux Falls Interstate	II	III	III	III	III
ropolitan Sioux City Interstate	III	III	III	III	III
ropolitan Dubuque Interstate	I	III	III	III	III
ropolitan Quad Cities Interstate	I	III	III	III	III
ington-Keokuk Interstate	I	I	III	III	III
hwest Iowa Intrastate	III	III	III	III	III
h Central Iowa Intrastate	IA	III	III	III	III
heast Iowa Intrastate	I	III	III	III	III
hwest Iowa Intrastate	III	III	III	III	III
h Central Iowa Intrastate	I	III	III	III	I
heast Iowa Intrastate	III	III	III	III	III

FR 10865, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

.822 Approval status.

a) With the exceptions set forth in s subpart, the Administrator ap- ves Iowa's plan for the attainment l maintenance of the national ndards. Further, the Administrator ds the plan satisfies all require- nts of Part D, Title I, of the Clean Act as amended in 1977, except as ed below.

FR 14567, Mar. 6, 1980, as amended at R 47546, Sept. 29, 1981]

§ 52.823 [Reserved]

§ 52.824 Extension.

The Administrator hearby extends the date for submission of plans to attain the secondary standard for total suspended particulate matter until July 1, 1980, for the following particulate nonattainment areas, identified by the largest city in the area: Sioux City, Council Bluffs, Fort Dodge, Marshalltown, Des Moines, Waterloo, Cedar Rapids, Davenport, Clinton, Muscatine, Keokuk and Mason City.

[45 FR 14567, Mar. 6, 1980]

§ 52.825 Compliance schedules.

(a) [Reserved]

(b) *Regulation for increments of progress.* (1) Except as provided in paragraph (b)(2) of this section, the owner or operator of any stationary source subject to regulation 4.3.(3)(b), "Rules and Regulations Relating to Air Pollution Control of the Iowa Air Pollution Control Commission" shall, no later than December 31, 1972, submit to the Administrator for approval, a proposed compliance schedule that demonstrates compliance with the applicable regulation as expeditiously as practicable but no later than January 1, 1975. The compliance schedule shall provide for periodic increments of progress towards compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Letting of necessary contract for construction or process changes, if applicable; initiation of construction; completion and start-up of control system; performance test and submittal of performance te analysis and results.

(2) Where any such owner or oper tor demonstrates to the satisfaction the Administrator that complianc with the applicable regulations will achieved on or before December 3 1973, no compliance schedule shall required.

(3) Any owner or operator who su mits a compliance schedule pursua to this paragraph shall, within 5 da after the deadline for each increme of progress, certify to the Administr tor whether or not the required incr ment of the approved complian schedule has been met.

(4) Any compliance schedule adop ed by the State and approved by th Administrator shall satisfy the quirements of this paragraph for th affected source.

(c) The compliance schedules for th sources identified below are approv as revisions to the plan pursuant § 51.104 and Subpart N of this cha ter. All regulations cited are air pol tion control regulations of the Stat unless otherwise noted.

IOWA

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance d
Clinton Engines Corp.: Cupola	Maquoketa	4.4(4)	July 12, 1973	Jan. 1, 1975	Jan. 1, 1975.
Interstate Power Co.:					
(a) Boiler No. 5	Dubuque	4.3(2)b	do	July 13, 1974	June 1, 1975
(b) Boiler No. 6	do	4.3(2)b	do	do	Do.
Eastern Iowa Light & Power Co.:					
(a) Boiler No. 1	Wilton Junction	4.3(2)b	do	Mar. 31, 1975	Mar. 31, 197
(b) Boiler No. 2	do	4.3(2)b	do	do	Do.
Muscatine Power & Water:					
(a) Boilers Nos. 5 and 6	Muscatine	4.3(2)b	June 12, 1975	June 15, 1975	June 15, 197
(b) Boiler No. 7	do	4.3(2)b	do	May 15, 1975	May 15, 197
Interstate Power Co.: Boiler No. 1.	Clinton	4.3(2)b	Mar. 8, 1973	May 9, 1975	June 1, 1975
Interstate Power Co.:					
(a) Boiler No. 1	Lansing	4.3(2)b	May 11, 1972	do	Do.
(b) Boiler No. 2	do	4.3(2)b	do	do	Do.
Iowa Light and Power Co.:					
(a) Boilers Nos. 7, 8, and 9	Des Moines	4.3(2)b	July 12, 1973	July 13, 1974	Dec. 1, 1974
(b) Boiler No. 10	do	4.3(2)b	do	do	July 13, 1974
(c) Boiler No. 11	do	4.3(2)b	do	June 1, 1974	June 1, 1974
Clow Corp.: Cupola	Oskaloosa	4.4(4)	do	Oct. 15, 1974	Oct. 15, 1974
Iowa Southern Utilities Co. (Bridgeport Station).					
(a) Boiler Unit No. 1	Eddyville	4.3(2)b	June 12, 1975	June 1, 1975	June 1, 197
(b) Boiler Unit No. 3	do	4.3(2)b	do	do	Do.
Hawkeye Steel Products, Inc.: Cupola 2.	Waterloo	4.4(4)a	July 12, 1973	Jan. 4, 1974	Jan. 4, 1974.
Central Iowa Power Co-op:					
(a) Boiler No. 1	Creston	4.3(2)b	do	Nov. 1, 1973	Nov. 1, 1973
(b) Boiler No. 2	do	4.3(2)b	do	do	Do.

IOWA—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
SSS Grey Iron Casting Corp.: Cupola.	West Burlington	4.4(4)	May 9, 1974	Jan. 31, 1975	Jan. 31, 1975.
Quality Foundry: Cupola	Stockton	4.4(4)	do	do	Do.
Russelloy Foundry: Cupola	Durant	4.4(4)	do	do	Do.
Bartlett & Co. Grain:					
(a) Cyclone	Council Bluffs	4.3(2)c	do	Dec. 31, 1974	Dec. 31, 1974.
(b) Grain Handling	do	4.4(7)	do	do	Do.
Venice Grain, Inc.:					
(a) Cyclone	do	4.3(2)c	do	Aug. 31, 1974	Aug. 31, 1974.
(b) Grain Handling	do	4.4(7)	do	do	Do.
Bartlett & Co. Grain:					
(a) Cyclone	Sioux City	4.3(2)c	do	Dec. 31, 1974	Dec. 31, 1974.
(b) Grain Handling	do	4.4(7)	do	do	Do.
Arco Dehydrating Co.: Alfalfa Dehydrating Plant.	Lake Park	4.3(2)a	do	July 1, 1975	July 1, 1975.
Clinton Corn Processing Co. Nos. 3 and 4 Coal-fired Raymond feed Dryers.	Clinton	4.4(7)	June 12, 1975	July 31, 1975	July 31, 1975.
Kuelman Foundry, Inc.: Foundry cupola.	Council Bluffs	4.3(2) a and d	do	do	Do.
Beerman Bros. Dehy: Alfalfa Dehydrating Plant.	Port Neal	4.3(2)a	do	Apr. 15, 1975	Apr. 15, 1975.
American Pop Corn Co.: Teepee Burner.	Sioux City	4.4(12)	do	Nov. 15, 1974	Nov. 15, 1974.
John Deere Waterloo Tractor Works: Boilers Nos. 6, 7, 8, and 9.	Waterloo	4.3(2)b(2)	do	May 9, 1975	May 30, 1975.
Lehigh Portland Cement Co.:					
(a) Kilns Nos. 1, 2, 3, 4, 5, and 6.	Mason City	4.3(2)a	do	Aug. 15, 1974	Aug. 15, 1974.
(b) Clinker Cooler No. 7	do	4.3(2)a	do	Oct. 10, 1975	June 1, 1975.
Mount Pleasant Municipal Utilities: Boilers Nos. 4 and 5.	Mount Pleasant	4.3(2)b	do	Oct. 15, 1974	Oct. 15, 1974.
Farmers Mercantile Co.: Cyclone	Red Oak	4.4(7)	do	Oct. 30, 1974	Oct. 30, 1974.
S & H Products, Inc.: Alfalfa Dehydrating Plant.	Audubon	4.3(2)a	do	May 9, 1975	May 31, 1975.
The Hubinger Co.:					
(a) Boiler No. 9	Keokuk	4.3(2)b	Sept. 13, 1973	Nov. 15, 1974	June 1, 1975.
(b) Starch Dryers Nos. 3 and 5.	do	4.4(7)	do	Sept. 1, 1974	Sept. 1, 1974.
(c) A Dryer	do	4.4(7)	do	June 15, 1974	June 15, 1974.
(d) B Dryer	do	4.4(7)	do	Oct. 1, 1974	Oct. 1, 1974.
Keokuk Steel Casting:					
(a) Electric Furnace	do	4.4(5)	Jan. 16, 1974	Jan. 16, 1975	June 1, 1975.
(b) Rotary Screen	do	4.3(2)c	do	do	Do.
(c) Shakeout Area	do	4.3(2)d	do	do	Do.
Midwest Carbide: Carbide Furnace.	do	4.3(2)a	Apr. 20, 1975	May 30, 1975	May 30, 1975.
The Celotex Corp.: Boiler	Dubuque	4.3(2)b	Aug. 16, 1973	Aug. 13, 1974	June 1, 1975.
John Deere Dubuque Tractor Works:					
(a) Cupolas No. 1, 2, 3, & 4	do	4.4(4)	May 10, 1973	May 10, 1974	Dec. 30, 1974.
(b) Oil Core Sand Mixing	do	4.3(2)a	do	do	Aug. 31, 1974.
(c) Resin Sand Coating	do	4.3(2)a	do	do	Do.
R. S. Bacon Verneer Co.: Teepee Burner.	do	4.4(12)	Apr. 11, 1974	June 30, 1974	June 30, 1974.
Tschiggfrie Excavating Co.: Asphalt Concrete Plant.	do	4.4(2), 4.3(2)d	Feb. 14, 1974	May 1, 1974	May 1, 1974.
Aluminum Co. of America: A-1 Ingot Plant Holding Furnace.	Davenport	4.3(2)a	Aug. 16, 1973	Aug. 16, 1974	June 30, 1975.
Frank Foundries Corp.: Cupola	do	4.4(4)a	Apr. 11, 1974	Apr. 30, 1974	Apr. 30, 1974.
International Multifoods: Elevator System E-3.	do	4.4(7)	Mar. 8, 1973	Nov. 30, 1974	Nov. 30, 1974.
Clinton Corn Processing Co.:					
(a) Raymond Dryers Nos. 1 and 3.	Clinton	4.4(7)	Oct. 11, 1973	Apr. 15, 1974	Apr. 15, 1974.
(b) Raymond Dryers Nos. 2 and 4.	do	4.4(7)	do	Nov. 15, 1974	Dec. 31, 1974.

IOWA—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance da
(c) Louisville Germ Dryers Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 22, 23, 24.	......do	4.4(7)	......do	June 15, 1974	June 15, 1974.
Sivyer Steel Casting Co.: Shake-out area for furnaces.	Bettendorf	4.3(2)a and d	June 12, 1975	Mar. 31, 1975	Mar. 31, 1975.
Alloy Metal Products, Inc.: Electric Arc Furnace.	Devenport	4.3(2)a, 4.3(2)d	Apr. 11, 1974	July 15, 1974	June 1, 1975.
Grain Processing Corp., flash dryers Nos. 40, 43, and 46.	Muscatine	4.3(2)d, 4.4(6)	Apr. 10, 1975	July 31, 1975	July 31, 1975.
Grain Processing Corp.: Second stage flash dryers Nos. 83 and 84.	......do	4.4(6)	June 12, 1975	......do	Do.
The Pillsbury Co.: Grain Elevator (Cyclones).	Council Bluffs.	4.4(7)	Nov. 15, 1973	Nov. 1, 1974	Nov. 1, 1974.
Sheldon Dehydrating Co.: Alfalfa Dehydrating Plant.	Sheldon	4.3(2)a	Apr. 11, 1974	Aug. 1, 1974	Aug. 1, 1974.
John Deere Waterloo Tractor Works:					
(a) Cupolas Nos. 1, 2, 4, 7, and 8.	Waterloo	4.4(4)a	Dec. 13, 1973	Sept. 30, 1974	Sept. 30, 1974.
(b) Boiler No. 5	......do	4.3(2)b(2)	Nov. 15, 1973	Nov. 1, 1973	Apr. 30, 1975.
National Gypsum Co.: Stucco Silos, Screw Conveyors, and Perlite System (Phase III).	Fort Dodge	4.3(2)a	Aug. 16, 1973	June 1, 1974	June 1, 1974.
Green Products Co.: Alfalfa Dehydrating Plant.	Conrad	4.3(2)a	Dec. 13, 1973	Dec. 13, 1974	Apr. 20, 1975.
Iowa Valley Milling Co.: Alfalfa Dehydrating Plant.	West Branch	4.3(2)a	Feb. 14, 1974	Feb. 14, 1975	May 1, 1975.
Carter-Waters Corp.: Kilns	Centerville	4.3(2)a	Aug. 16, 1973	Aug. 16, 1974	June 1, 1975.
Progressive Foundry, Inc.: Cupola.	Perry	4.4(4)	Nov. 16, 1973	Oct. 30, 1974	Oct. 30, 1974.
Central Iowa Power Co-op: Boiler No. 3.	Creston	4.3(2)b	July 12, 1973	July 12, 1974	June 1, 1975.
Cedar Falls Utilities: Boiler No. 6	Cedar Falls	4.3(2)b	Dec. 13, 1973	Apr. 1, 1974	Apr. 1, 1974.
Corn Belt Power Corp	Humboldt	4.3(2)b	Aug. 16, 1973	Aug. 16, 1974	Mar. 31, 1975.
Corn Belt Power Cooperative, boiler No. 4.	......do	4.3(2)(b)	......do	Apr. 30, 1975	Apr. 30, 1975.
Iowa State University:					
(a) Boiler No. 1	Ames	4.3(2)b	Jan. 16, 1974	May 31, 1974	May 31, 1974.
(b) Boiler No. 2	......do	4.3(2)b	......do	Apr. 30, 1974	Apr. 30, 1974.
(c) Boilers Nos. 3 and 4	......do	4.3(2)b	......do	May 31, 1974	May 31, 1974.
(d) Boiler No. 5	......do	4.3(2)b	......do	July 31, 1974	July 31, 1974.
(e) Boiler No. 6	......do	4.3(2)b	......do	June 30, 1974	June 30, 1974.
Iowa Electric Light & Power Co.:					
(a) Boiler No. 1	Marshalltown	4.3(2)b	Aug. 16, 1973	Aug. 16, 1974	June 1, 1975.
(b) Boiler No. 2	......do	4.3(2)b	......do	......do	Do.
(c) Boiler No. 3	......do	4.3(2)b	......do	......do	Mar. 1, 1975.
Farmers Elevator Co.: Cyclone on feed mill.	Walcott	4.4(6)	Sept. 12, 1974	Dec. 28, 1974	Dec. 28, 1974.
Clinton Corn Processing Co.: Louisville dryers Nos. 12, 13, 14, and 15.	Clinton	4.4(7)	......do	Dec. 31, 1974	Dec. 31, 1974.
Delta Asphalt Paving, Inc.: Asphaltic concrete plant.	Crescent	4.4(2)	......do	July 1, 1975	July 1, 1975.
Ralston Purina Co.: Bean cleaner.	Iowa Falls	4.4(7)	......do	Apr. 18, 1975	Apr. 18, 1975.
Northwestern States Portland Cement Co.:					
(a) Kiln No. 1 baghouse bypass.	Mason City	4.4(3)	......do	June 20, 1975	July 18, 1975.
(b) Silo dust vent	......do	4.3(2)a	......do	......do	Do.
(c) No. 5 cement storage vent	......do	4.3(2)a	......do	......do	Do.
Associated Sanitarians, Inc.: Asphaltic concrete plant.	Denison	4.4(2)	......do	......do	June 30, 1975.
Jack Stanley Co.: Asphaltic concrete plant.	Glenwood	4.4(2)	......do	July 1, 1975	July 1, 1975.
Cargill, Inc.:					
(a) Cyclone on head house	Council Bluffs	4.4(6), 4.4(7)	Nov. 14, 1974	June 15, 1975	June 15, 1975.
(b) Cyclone on truck loading	......do	4.4(6), 4.4(7)	......do	......do	Do.

IOWA—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
mers Union Grain Terminal ssociation: Cyclones on head house.	Sioux City	4.4(7)	Sept. 12, 1974	July 15, 1975	July 15, 1975.
are and Co.: Boiler No. 3	Ottumwa	4.3(2)d	do	Apr. 1, 1975	Apr. 1, 1975.
ntral Soya Co., Inc.:					
(a) Tunnel aspiration system	Belmond	4.4(6), 4.4(7)	Nov. 14, 1974	July 31, 1975	July 31, 1975.
(b) Garner bin vents	do	4.4(6), 4.4(7)	do	do	Do.
(c) Bulk meal conveying system.	do	4.4(6), 4.4(7)	do	do	Do.
(d) Upper house aspiration system.	do	4.4(6), 4.4(7)	do	do	Do.
nd O'Lakes:					
(a) Cyclone from legs and belts of elevator.	Fort Dodge	4.4(6), 4.4(7)	do	June 1, 1974	June 1, 1975.
(b) Pod grinder cyclone	do	4.4(6), 4.4(7)	do	do	Do.
(c) Elevator classifier cyclone	do	4.4(6), 4.4(7)	do	do	Do.
nte Construction Co.: Asphaltic concrete plant No. 261.	Ottumwa	4.4(2)	do	do	Do.
a Steel and Wire Co.: Ladle ancing.	Centerville	4.3(2)a	do	do	Do.
asford Construction Co.: Asphaltic concrete plant.	LeGrand	4.4(2)	do	do	Do.
asford Construction Co., asphaltic concrete plant No. III.	do	4.4(2)	Apr. 10, 1975	May 15, 1975	May 15, 1975.
ry Asphalt Co., Inc.: Asphaltic concrete plant.	Perry	4.4(2)	do	do	Do.
sey-Hayes—French & Hecht ivision: boilers Nos. 1 and 2.	Davenport (Bettendorf).	4.3(2)b	Sept. 12, 1974	July 15, 1975	July 15, 1975.
stern Iowa Light & Power Co.: oilers Nos. 1 and 2.	Wilton Junction	4.3(2)b	Nov. 14, 1974	May 15, 1975	May 15, 1975.
uminum Co. of America:					
(a) A-3 ingot plant—rotary barrels.	Davenport	4.3(2)e	do	May 31, 1975	May 31, 1975.
(b) A-5 ingot plant—skim house.	do	4.3(2)e	do	do	Do.
wa Electric Light & Power Co.:					
(a) Boiler No. 3	Iowa Falls	4.3(2)b	Sept. 12, 1974	Jan. 1, 1975	Jan. 1, 1975.
(b) Boiler No. 4	do	4.3(2)b	do	June 30, 1975	June 30, 1975.
e Dexter Co.: Cupola	Fairfield	4.4(4)	Nov. 14, 1974	Dec. 16, 1974	Dec. 16, 1974.
Benac & Sons: Cupola	Centerville	4.4(4)	Apr. 10, 1975	June 23, 1975	June 23, 1975.
wton Foundry Co.: Cupola	Newton	4.4(4)	do	June 15, 1975	June 15, 1975.
ow Corp.: Cupola	Oskaloosa	4.4(4)	do	Jan. 1, 1975	Jan. 1, 1975.
wkeye Chemical Co.:					
(a) Neutralizer	Clinton	4.3(2)a, 4.3(2)d	June 20, 1974	Mar. 14, 1975	May 31, 1975.
(b) Prill tower	do	4.3(2)a, 4.3(2)d	do	do	Do.
(c) Evaporator at prill tower	do	4.3(2)a, 4.3(2)d	do	do	Mar. 15, 1975.
wa Electric Light & Power Co	Cedar Rapids				
(a) 6th Street Station, Boilers Nos. 1 and 2.		26.07	Sept. 21, 1973	Note 1	June 1, 1975.
(b) Prairie Creek Station, Boiler No. 4.		26.07	do	do	Feb. 1, 1975.
rgill Corn Starch & Syrup Co., 16th St., SE. Plant:	Cedar Rapids				
(a) Germ aspiration system		26.09	Dec. 21, 1973	do	July 1, 1974.
(b) Aspiration system in millhouse.		26.09	do	do	Do.
(c) Starch storage bins Nos. 7 and 8.		26.09	do	do	Apr. 1, 1974.
(d) HCl storage tank vent		26.09	do	do	Oct. 1, 1974.
(e) Fiber dryer		26.09	do	do	June 15, 1974.
(f) Gluten dryer		26.09	do	do	Do.
(g) P and S dryers Nos. 1 and 2.		26.09	do	do	Oct. 1, 1974.
rgill, Inc.	Cedar Rapids				
(a) 411 6th St., N.E Plant:					
(1) Extraction feed aspiration.		26.09	Jan. 2, 1974	do	Mar. 1, 1975.
(2) Rail meal loading		26.09	do	do	July 30, 1975.

IOWA—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance d
(b) 1010 10th Ave., SW. Plant:					
(1) Soybean conditioning cyclone.		26.09	Dec. 27, 1973	do	July 1, 1975.
(2) Hull grinding cyclone		26.09	do	do	Do.
Penick and Ford, Ltd	Cedar Rapids				
(a) Hell dryer		26.09	Dec. 21, 1973	do	Sept. 30, 1974
(b) Dustex dust collector		26.09	do	do	Aug. 31, 1974
(c) Hell dryer pickup ring dust collector.		26.09	do	do	Sept. 30, 1974
(d) No. 3 blender dust collector.		26.09	do	do	Apr. 30, 1974.
Diamond V Mills, Inc	Cedar Rapids				
(a) Yeast culture (S–1)		26.09	Dec. 21, 1973	do	Oct. 31, 1974.
(b) Grain storage bin (S–2)		26.09	do	do	Do.
(c) Grain storage bin (S–5)		26.09	do	do	Do.
(d) Yeast culture (S–7)		26.09	do	do	Do.
(e) Yeast load-out (S–8)		26.09	do	do	Mar. 31, 1974
(f) Yeast load-out (S–9)		26.09	do	do	Do.
(g) Railroad unloading pit (S–10).		26.09	do	do	Apr. 30, 1974.
National Oats Co	Cedar Rapids				
(a) Building H:					
(1) General suction system (S–52).		26.09	Dec. 26, 1973	do	Aug. 31, 1974
(2) Cooler (S–53)		26.09	do	do	Do.
(3) Aspiration System (S–55).		26.09	do	do	Do.
(b) Building A: (1) Aspiration system GA (S–20, 27, 28, 29, 35, 36, 37, 38, and 39).		26.09	do	do	Do.
(c) Building A:					
(1) Forsberg separators (S–8 and S–47).		26.09	do	do	Nov. 30, 1974
(2) Aspiration system 4A (S–24).		26.09	do	do	Do.
(3) Aspiration system 6A (S–45).		26.09	do	do	Do.
(d) Building A:					
(1) Aspiration system 6A (S–7–1).		26.09	do	do	June 30, 1975
(2) Suction systems (S–12–1 and 12–3).		26.09	do	do	Do.
(3) Aspiration system (S–12–4).		26.09	do	do	Do.
(e) Building H:					
(1) Huller (S–12)		26.09	do	do	July 31, 1975.
(2) Midds recycle cyclone (S–11–1).		26.09	do	do	Do.
(f) Building G: (1) Forsberg separators (S–55 and S–56).		26.09	do	do	Do.
(g) Building A:					
(1) Indented cylinder separator (S–12).		26.09	do	do	Do.
(2) Separating tables (S–11)		26.09	do	do	Do.
(3) Aspiration system (S–10)		26.09	do	do	Do.
Burget Mills	Altoona				
Corn Dryer		5–23	June 20, 1974	Note 2	Dec. 31, 1974.
Ankeny Concrete Block, Inc	Ankeny				
Cement Storage Silos		5–16(L)	June 20, 1974	Note 2	Aug. 31, 1974.
Midwest Concrete Co	West Des Moines.				
Cement Storage Silos		5–16(L)	June 20, 1974	Note 2	Jan. 1, 1975.
Penn-Dixie Industries, Inc.	West Des Moines.				
Clinker Cooler No. 7		5–15	June 20, 1974	Note 2	Dec. 30, 1974.
Can-Tex Industries	Des Moines				
Clay Pipe Plant		5–23 5–24	June 20, 1974	Note 2	Jan. 1, 1975.
J. C. White Concrete Co	Des Moines				

IOWA—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
(a) Main Plant No. 2:					
(1) Cement storage silos		3B-16(L)	June 20, 1974	Note 3	Dec. 31, 1974.
(2) Truck charging point		3B-16(L)	do	do	Do.
(b) Plant 2A		3B-16(L)	do	do	Do.
(c) Plant No. 3		3B-16(L)	do	do	Do.
d-America Dairymen, Inc.	Des Moines				
ilk Dryer System		3B-15	June 20, 1974	Note 3	Do.
t. Regis Paper Co	Des Moines				
Cement storage silos		3B-16(L)	June 20, 1974	Note 3	Aug. 15, 1975.
coville Manufacturing Co., cardoco window and door division, grinding system (Item No. 3).	Dubuque	4.3(2)a	Nov. 14, 1974	June 30, 1975	June 30, 1975.
usman Foundry, Inc., Cupola	Council Bluffs	4.4(4)	Feb. 13, 1975	Mar. 13, 1975	Mar. 13, 1975.
rmour & Co. (the Greyhound Corp.), boilers Nos. 1, 3, 4, and 5.	Mason City	4.3(2)b	do	July 31, 1975	July 31, 1975.
eadford Brothers & Hitchins Foundry Co., cupola.	Waterloo	4.4(4)	Aug. 8, 1974	June 1, 1975	June 1, 1975.
reen Products Co., alfalfa dehydrating plant.	Conrad	4.3(2)a	Feb. 13, 1975	May 1, 1975	May 1, 1975.
ra-Iron Foundry Corp.: Foundry cupola.	Marshalltown	4.4(4)	June 12, 1975	June 30, 1975	June 30, 1975.
rogressive Foundry, Inc., cupola.	Perry	4.4(4)	do	Apr. 23, 1975	Apr. 23, 1975.
armers Mutual Cooperative Co., cyclone on headhouse.	Alton	4.4(6)	do	June 15, 1975	June 15, 1975.
aple Valley Creamery, Inc., whey spray dryer.	Independence	4.3(2)a	do	July 29, 1975	July 29, 1975.
oudaille Industries, Inc., viking pump division, sand silo.	Cedar Falls	4.3(2)a	do	June 3, 1975	June 3, 1975.
ohlin Construction Co., asphaltic concrete plant D.	LaPorte	4.4(2)	do	May 20, 1975	May 20, 1975.
Spencer Municipal Hospital, incinerator.	Spencer	4.4(2)	do	July 31, 1975	July 31, 1975.
orris Construction Co., asphaltic concrete plant No. 250.	Ottumwa	4.4(2)	do	May 16, 1975	May 16, 1975.
wa Road Builders Co., asphaltic concrete plant.	Ames	4.4(2)	do	July 31, 1975	July 31, 1975.
resford Construction Co., asphaltic concrete plant No. 1.	LeGrand	4.4(2)	do	Apr. 15, 1975	Apr. 15, 1975.
hite Farm Equipment Co., electric arc furnace.	Charles City	4.4(5)	Apr. 10, 1975	June 15, 1975	June 15, 1975.
wa Machine Works & Foundry, cupola.	Clinton	4.4(4)	do	July 31, 1975	July 31, 1975.
awkeye Elevator Co., cyclones on grain elevator.	Council Bluffs	4.4(7)	do	July 1, 1975	July 1, 1975.
ighway Surfacers, Inc., asphaltic concrete plant No. 848.	New Hampton	4.4(2)	do	July 15, 1975	July 15, 1975.
ssociated Milk Producers, Inc., Maquoketa Valley Cooperative, milk spray dryer.	Arlington	4.3(2)a	do	June 1, 1975	June 1, 1975.
ighway Surfacers, Inc., asphaltic concrete plant No. 102.	Floyd	4.4(2)	do	July 15, 1975	July 15, 1975.
oone Valley Cooperative, soybean meal dryer.	Eagle Grove	4.4(6)	do	July 31, 1975	July 31, 1975.
armers Cooperative Co., feed grinder cyclone.	Pocahontas	4.4(6)	do	July 10, 1975	July 10, 1975.
udd Brown Construction Co.: Turbulent mass asphalt plant.	Forest City	4.4(2)	June 12, 1975	June 30, 1975	June 30, 1975.
arquette Cement Manufacturing Co.:					
Clinker cooler discharge	Des Moines	4.3(2)a	do	May 30, 1975	May 30, 1975.
Storage silo vents	do	4.3(2)a	do	do	Do.
uke Ready-Mix, Inc.: Concrete batching plant.	do	4.4(11)	do	June 1, 1975	June 1, 1975.
awkeye Chemical Co.: Prill tower and prill tower evaporator.	Clinton	4.3(2)a and d.	do	July 31, 1975	July 31, 1975.

IOWA—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance
Inland Mills Co. (Division of ADM Milling Co.):					
System C	Des Moines	4.4(7)	do	June 15, 1975	June 15, 197
Systems A and B	do	4.4(7)	do	May 1,1975	May 1, 1975.
The Pillsbury Co. (Grain Division): Cyclones.	Council Bluffs	4.4(7)	do	do	Do.
Scoular-Welsh Grain Co.: Cyclone and grain handling.	do	4.4(7)	do	May 30, 1975	May 30, 1975
Talbot-Carlson, Inc	Audobon	4.4(8)	do	May 1, 1975	May 1, 1975.
Avoca Alfalfa Milling Co.: Alfalfa dehydrating.	Avoca	4.3(2)a	do	May 15, 1975	May 15, 1975
Farmers Cooperative Co.: Grain storage silo vents.	Hinton	4.4(8)	do	do	Do.
Wertz Feed Products, Inc.: Feed mill cyclones.	Sioux City	4.4(8)	do	do	Do.
The Dexter Co.: Foundry cupola	Fairfield	4.4(4)	do	July 1, 1975	July 1, 1975.
Norris Construction Co.: Asphalt Plant No. 261.	Mount Pleasant	4.4(2)	do	May 15, 1975	May 15, 1975
The Greyhound Corp. (Division of Armour & Co.): Boilers 1, 3, 4, and 5.	Mason City	4.3(2)b	do	July 31, 1975	July 31, 1975
Iowa Army Ammunition Plant (explosive waste burning).	Middletown, Iowa.	400—4.2(1)	June 14, 1979	Dec. 31, 1981	Dec. 31, 1981
Iowa Army Ammunition Plant (explosive contaminated waste burning).	do	do	do	Feb. 28, 1982	Feb. 1982.
Progressive Foundry, Inc., cupola and casting shakeout area.	Perry	400-4.6	Nov. 6, 1981		Sept. 1, 1983

NOTE 1: Linn County Health Department does not issue variances if source(s) is on an approvable compliance schedu

NOTE 2: Polk County Department of Health does not issue variances if source(s) is on an accepted and approv compliance schedule.

NOTE 3: City of Des Moines, Department of Public Health does not issue variances if source(s) is on an accepted a approved compliance schedule.

[37 FR 10865, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.825, see the List of CFR Sections Affected in the Find Aids section of this volume.

§ 52.826 Conditions of approval.

Various portions of the Iowa State Implementation Plan where there are minor deficiencies have been approved subject to the submission of additional material. These conditional approvals are granted only with respect to Part D requirements. The conditions include that approvable material be submitted by a certain date. If there is no submission, EPA will publish a FEDERAL REGISTER notice announcing that the conditional approval is withdrawn, the plan is disapproved and the section 110(a)(2)(I) growth restrictions are in effect. If material is submitted EPA will publish a notice extending the conditional approval period until a determination of approvability has been made. At that time the plan will be finally approved or disapproved.

(a)-(c) [Reserved]

(d) Secondary standard attainmer date. The state must submit by De cember 31 1981, a reanalysis of the a tainment date for the secondary pa ticulate standard based on the result of studies of non-traditional source and control techniques, for the fou areas designated nonattainment fo primary particulate standard as o March 6, 1980.

[45 FR 14567, Mar. 6, 1980, as amended 46 FR 22372, Apr. 17, 1981; 46 FR 4754 Sept. 29, 1981; 46 FR 59974, Dec. 8, 1981; 4 FR 9462, Mar. 5, 1982]

§ 52.827 Attainment dates for nationa standards.

The following table presents th latest dates by which the nationa standards are to be attained. Thes dates reflect the information present ed in Iowa's plan, except where noted

Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.827 (1978).

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Metropolitan Omaha, Council Bluffs Interstate:							
a. Council Bluffs	*a*	e	b	*a*	c	c	c
b. Remainder of AQCR	*a*	*a*	b	*a*	c	c	c
Metropolitan Sioux Falls Interstate	b	*a*	c	c	c	c	c
Metropolitan Sioux City Interstate:							
a. Sioux City	b	e	c	c	c	c	c
b. Remainder of AQCR	b	*a*	c	c	c	c	c
Metropolitan Dubuque Interstate:							
a. Dubuque	*a*	*a*	d	d	c	c	c
b. Remainder of AQCR	*a*	*a*	c	c	c	c	c
Metropolitan Quad Cities Interstate:							
a. Davenport	d	f	c	c	c	c	c
b. Clinton	*a*	e	c	c	c	c	c
c. Muscatine	*a*	e	c	c	c	c	c
d. Remainder of AQCR	*a*	*a*	c	c	c	c	c
Burlington-Keokuk Interstate:							
a. Keokuk	*a*	e	*a*	*a*	c	c	c
b. Remainder of AQCR	*a*	*a*	*a*	*a*	c	c	c
Northwest Iowa Intrastate	c	c	c	c	c	c	c
North Central Iowa Intrastate:							
a. Fort Dodge	*a*	e	c	c	c	c	c
b. Mason City	d	f	c	c	c	c	c
c. Remainder of AQCR	*a*	*a*	c	c	c	c	c
Northeast Iowa Intrastate:							
a. Cedar Rapids	d	f	c	c	c	c	c
b. Waterloo	*a*	e	c	c	c	c	c
c. Remainder of AQCR	*a*	*a*	c	c	c	c	c
Southwest Iowa Intrastate	c	c	c	c	c	c	c
South Central Iowa Intrastate:							
a. Des Moines	d	f	c	c	c	d	*a*
b. Marshalltown	*a*	e	c	c	c	c	*a*
c. Remainder of AQCR	*a*	*a*	c	c	c	c	*a*
Southeast Iowa Intrastate	c	c	c	c	c	c	c

NOTE: Dates of footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. July 1975.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.
e. January 1, 1985.
f. January 1, 1995.

[46 FR 22372, Apr. 24, 1981, as amended at 46 FR 47546, Sept. 29, 1981]

§ 52.828 Enforcement.

(a) Sections 23(1)(b) and 13(7) of Senate File 85, Division II for Iowa are disapproved insofar as they permit the Air Quality Commission of the Iowa Department of Environmental Quality to issue abatement orders (1) that defer compliance with plan requirements beyond the dates required for attainment of the national standards, (2) without the approval of the Administrator, and (3) for reasons not permitted by the Clean Air Act.

(b) Regulation limiting administrative abatement orders:

(1) No order deferring compliance with a requirement of the Iowa Implementation Plan shall be issued by the Air Quality Commission of the Iowa Department of Environmental Quality which does not meet the following requirements:

(i) An order must require compliance with the plan requirement within the times and under the conditions specified in § 51.261 (a) and (b) of this chapter.

(ii) An order may not defer compliance beyond the last date permitted by section 110 of the Act for attainment of the national standard which the plan implements unless the procedures and conditions set forth in section 110(f) of the Act are met.

(iii) An order shall not be effective until it has been submitted to and approved by the Administrator in accordance with §§ 51.104, 51.105, 51.261 and 51.262(a).

(2) Notwithstanding the limitations of paragraph (b)(1)(ii) of this section, an order may be granted which provides for compliance beyond the statutory attainment date for a national standard where compliance is not possible because of breakdowns or malfunctions of equipment, acts of God, or other unavoidable occurrences. However, such order may not defer compliance for more than three (3) months unless the procedures and conditions set forth in section 110(f) of the Act are met.

[38 FR 30877, Nov. 8, 1973, as amended at 51 FR 40675, 40676, 40677, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

§ 52.829 Review of new sources and modifications.

Approval of the preconstruction review program will no longer be in effect after December 31, 1980, if the state has not submitted a regulation providing for preconstruction review.

[45 FR 14568, Mar. 6, 1980]

§§ 52.830—52.831 [Reserved]

§ 52.832 Maintenance of national standards.

(a) The areas listed below which were identified by the State of Iowa are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within ten years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined i section 302(f) of the Clean Air Act, 4 U.S.C. 1857(f) geographically locate within the outermost boundaries o the area so delimited.

(1) Cedar Rapids Air Quality Main tenance Area.

(i) Pollutant for which the area identified: Particulate matter.

(ii) Geographical composition area:

Linn County.

(2) Des Moines Air Quality Maint nance Area.

(i) Pollutants for which the area identified: Carbon monoxide and pa ticulate matter.

(ii) Geographical composition area:

Polk County.

(3) Dubuque Air Quality Maint nance Area.

(i) Pollutant for which the area identified: Particulate matter.

(ii) Geographical composition area:

Dubuque County.

(4) Omaha-Council Bluffs Intersta Air Quality Maintenance Area (Io portion).

(i) Pollutant for which the area identified: Particulate matter.

(ii) Geographical composition area:

Pottawattamie County.

(5) Davenport Air Quality Main nance Area.

(i) Pollutant for which the area identified: Particulate matter.

(ii) Geographical composition area:

Scott County.

(6) Waterloo Air Quality Main nance Area.

(i) Pollutant for which the area identified: Particulate matter.

(ii) Geographical composition area:

Black Hawk County.

[40 FR 23753, June 2, 1975, as amende 51 FR 40676, Nov. 7, 1986]

§ 52.833 Significant deterioration of quality.

(a) The requirements of sections through 165 of the Clean Air Act ect, except for sources seeking per- its to locate on Indian lands in the ate of Iowa; sources with permits sued by EPA prior to the effective ate of the state's rules; and certain urces affected by the stack height les described in a letter from Iowa ated April 22, 1987.

(b) Regulations for preventing significant deterioration of air quality. The provisions of §52.21 (b) through v) are hereby incorporated and made part of the applicable state plan for he state of Iowa for sources wishing o locate on Indian lands; sources constructed under permits issued by EPA; nd certain sources as described in owa's April 22, 1987, letter.

2 FR 23982, June 26, 1987]

Subpart R—Kansas

§52.870 Identification of plan.

(a) Title of plan: "State of Kansas Implementation Plan for the Attainment and Maintenance of National Air Quality Standards."

(b) The plan was officially submitted n January 31, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Various comments on the plan in response to the Regions review were submitted on March 24, 1972, by the State Department of Health. (Non-regulatory)

(2) The Emergency Episode Operations/Communications Manual for the Kansas City Interstate AQCR was submitted on April 6, 1972, by the State Department of Health. (Non-regulatory)

(3) Emergency Episode Operations/Communications Manual for all Kansas Intrastate AQCR's was submitted on February 15, 1973, by the State Department of Health. (Non-regulatory)

(4) Revisions of sections 28-19-6 through 15, 20-24, 30-32, 40-47, 50-52 and 55-58 of the State air pollution control regulations were submitted by the State Department of Health on April 17, 1973.

(5) Letter from the Governor, dated May 29, 1973, concerning the attainment of CO emission standards. (Non-regulatory)

(6) An amendment to the State air quality control law, Senate Bill No. 30, dealing with public access to emission data was submitted on July 27, 1973, by the Governor.

(7) Revisions of sections 28-19-8, 9, 14, 22, 25 and and 47 of the State air pollution control regulations were submitted on February 6, 1974, by the Governor.

(8) Copy of the State's analysis and recommendations concerning the designation of Air Quality Maintenance Areas was submitted by letter from the State Department of Health on February 28, 1974. (Non-regulatory)

(9) Kansas submitted State Implementation Plan (SIP) revisions to attain the National Ambient Air Quality Standards on September 17, 1979 for Wyandotte and Johnson Counties, on October 22, 1979 for Douglas County, and on March 10, 1980 for Kansas City of the state designated nonattainment areas under section 107 of the Clean Air Act as amended in 1977. On September 22 and 25, 1980, the state submitted revised regulations on the control of volatile organic compounds and a regulation on the new source permit review program. Included in the plan are the following approved state air pollution control regulations:

(i) The VOC regulations which EPA approved as RACT: 28-19-61 Definitions, 28-19-62 Testing Procedures, 28-19-63 Automobile and Light Duty Trunk Surface Coating, 28-19-65 Petroleum Liquid Storage Tanks, 28-19-66 Petroleum Liquid Storage in External Floating Roof Tanks, 28-19-67 Petroleum Refineries, 28-19-68 Leaks from Petroleum Refinery Equipment, 28-19-69 Cutback Asphalt.

(ii) The New Source Permit Review regulation 28-19-16 through 16m which EPA conditionally approved as meeting the requirements of sections 172(b)(6); 172(b)(11)(A), and 173.

(iii) The Kansas City-Wyandotte County air pollution control regulations which have been adopted by both the Kansas City, Kansas Board of City Commissioners and the Wyandotte County Board of County Commissioners:

2A-1 Jurisdiction, 2A-2 Purpose, 2A-3 Definitions, 2A-4 Powers of the Board, 2A-5 Facts and Circumstances Pertinent to Orders of Joint Board, 2A-6 Right of Entry for Inspection, 2A-7 Time for Compliance Schedule, 2A-8 Variance, 2A-9 Circumvention of Chapter or Regulations, 2A-10 Air Pollution Nuisances Prohibited; Additional Emission Restrictions; Interference with the Enjoyment of Life and Property, 2A-11 Reserved, 2A-12 Confidential Information, 2A-13 Registration and Permit System; Exemptions, 2A-14 Review of New or Altered Sources, 2A-15 Public Hearings, 2A-16 Installations in which Fuel is Burned, 2A-17 Restriction of Emission of Particulate Matter from Industrial Processes, 2A-18 Open Burning Prohibition, 2A-19 Opacity Requirements, 2A-20 Exceptions Due to Breakdowns or Scheduled Maintenance, 2A-21 Preventing Particulate Matter from Becoming Air-Borne, 2A-22 Measurement of Emissions, 2A-23 Restriction of Emission of Odors, 2A-24 Sulfur Compound Emissions, 2A-24.1 Hydrocarbon Emissions; Stationary Sources, 2A-25 Control of Carbon Monoxide Emissions, 2A-26 Control of Nitrogen Oxide Emissions, 2A-26.1 Incinerators, 2A-27 Air Pollution Emergencies—General Provisions, 2A-28 Air Pollution Emergencies—Episode Criteria, 2A-29 Emission Reduction Requirements, 2A-30 Emergency Episode Plans, 2A-31 Penalties for Violation of Chapter or Air Pollution Control Regulations, and 2A-32 Conflict of Ordinances, Effect Partial Invalidity.

(10) The Kansas State Implementation Plan for lead was submitted on February 17, 1981, by the Governor of Kansas, along with a submittal letter which provided additional information concerning the Kansas State Implementation Plan for lead.

(11) Kansas submitted SIP revisions to attain and maintain the National Ambient Air Quality Standards for carbon monoxide on April 16, 1981, for the South Central Kansas Interstate Air Quality Control Region, Wichita nonattainment area. The plan included commitments to complete transportation control measures for the reduction of carbon monoxide from transportation related sources for the attainment of the national standards by December 31, 1982.

(12) A plan revision which makes modifications to the existing Kansas air quality surveillance network was submitted by the Kansas Department of Health and Environment on October 16, 1981.

(13) Additional information to c
rect two plan deficiencies was subm
ted by the Kansas Department
Health and Environment on May
1981.

(14) Letter and supporting doc
ments submitted on September
1981, from the Director of Air Quali
and Occupational Health relating
reasonably available control technol
gy for certain particulate matt
sources in the Kansas City, Kans
area.

(15) New regulations 28-19-70 a
28-19-62 applicable to tank trucks o
erating at bulk gasoline termin
were submitted by the Kansas Depar
ment of Health and Environment
June 15, 1982. State regulation 28-1
51 is revoked. Revised regulations 2
19-16, 28-19-16a, 28-19-16b, 28-19-16
28-19-16f, 28-19-16g, 28-19-16h, a
28-19-16i, applicable to new sources
nonattainment areas were include
with the June 15, 1982 submitt
Action is deferred on the followi
regulations: 28-19-16a(d), 28-1
16a(v), 28-19-16, 28-19-16b, 28-19-16
28-19-16f, 28-19-16h, 28-19-16i, an
28-19-16a(o). The remainder of th
provisions are approved.

(16) New regulations K.A.R. 28-1
17 through K.A.R. 28-19-171 applic
ble to stationary sources subject t
prevention of significant deteriorati
(PSD) permit requirements were su
mitted on May 5, 1983. Regulatio
K.A.R. 28-19-171 pertaining to the u
of innovative control technology is no
approved. By letter dated June 2
1984, the State of Kansas agrees t
follow the EPA interim stack heigh
policy for each PSD permit issue
until such time as EPA revises its gen
eral stack height regulations.

(17) Revised regulation K.A.R. 28-
19-69, applicable to the use of cutbac
asphalt, was submitted by the Secre
tary of the Kansas Department o
Health and Environment on Februar
21, 1986.

(i) Incorporation by reference.

(A) Revised regulation K.A.R. 28-19-
69 as approved by the Kansas Attor-
ney General on December 5, 1985.

(18) Revised regulations K.A.R. 28-
19-63 applicable to automobile an
light-duty truck surface coatin
K.A.R. 28-19-64 applicable to bulk gas-

e terminals; K.A.R. 28-19-67 appli-
le to petroleum refineries; and
A.R. 28-19-68 applicable to leaks at
roleum refineries, were submitted
the Secretary of the Kansas De-
tment of Health and Environment
February 21, 1986.
i) Incorporation by reference. (A)
vised regulations K.A.R. 28-19-63,
A.R. 28-19-64, K.A.R. 28-19-67, and
A.R. 28-19-68 as approved by the
nsas Attorney General on October
1985.
(19) Revised Kansas regulations per-
ining to fees for permits to construct
d operate were submitted by the
nsas Department of Health and En-
ronment on March 27, 1986.
(i) Incorporation by reference.
(A) Kansas Administrative Regula-
ns (KAR) 28-19-7, 28-19-8, 28-19-9,
-19-14, 14(a) and 14(b), 28-19-31, 28-
-45, which became effective on May
1986.
(B) Letter of March 27, 1986 to EPA
om the State of Kansas Department
Health and Environment.
(C) Letter of September 15, 1987 to
PA from the State of Kansas Depart-
ent of Health and Environment.
(20) Revisions to the ozone attain-
ent plan for the Kansas City metro-
olitan area were submitted by the
overnor on July 2, 1986. Pursuant to
is plan, revised regulations for the
ntrol of volatile organic compound
missions were submitted by the Sec-
tary of the Kansas Department of
ealth and Environment on January
1988. In numerous instances, the re-
sed Kansas regulations provide for
epartmental discretion to approve
mpliance plans and test methods
hich are alternatives to the EPA ref-
rence methods. EPA approves these
gulations with the understanding
hat all such alternative compliance
lans and test methods must be sub-
itted to EPA, and approved, as indi-
vidual SIP revisions. In the absence of
uch approval, the enforceable re-
quirements of the SIP shall be the
mission limits or reduction require-
ents stated in the regulations. Also,
he Kansas regulations contain provi-
ions whereby testing is required when
he facility intends to demonstrate
ompliance by improved operations or
ew emission controls, yet no test pro-
cedures are specified. Examples of such provisions are transfer efficiency (TE) and vapor processing systems. Test methods which are developed by the state must be approved by EPA before facilities may demonstrate compliance through alternative controls and/or TE.

(i) Incorporation by reference.

(A) Revised regulations K.A.R. 28-19-8, Reporting required; K.A.R. 28-19-61, Definitions; K.A.R. 28-19-62, Testing procedures; K.A.R. 28-19-63, Automobile and light-duty truck surface coating; K.A.R. 28-19-64, Bulk gasoline terminals; K.A.R. 28-19-65, VOC liquid storage in permanent fixed roof type tanks; K.A.R. 28-19-66, VOC liquid storage in external floating roof tanks; K.A.R. 28-19-69, Cutback asphalt; K.A.R. 28-19-70, Leaks from gasoline delivery vessels and vapor collection systems; K.A.R. 28-19-71, Printing operations; K.A.R. 28-19-72, Gasoline dispensing facilities; K.A.R. 28-19-73, Surface coating of miscellaneous metal parts and products and metal furniture; K.A.R. 28-19-74, Wool fiberglass manufacturing; and K.A.R. 28-19-75, Solvent metal cleaning. Temporary versions of these regulations are effective December 16, 1987, through April 30, 1988. The permanent regulations are effective May 1, 1988.

(B) Letter of January 6, 1988, from the Secretary of the Kansas Department of Health and Environment. This letter establishes the effective dates for the revised regulations referenced in subparagraph (20)(i)(A) above.

(ii) Additional material.

(A) State of Kansas Implementation Plan, Part A—Kansas City Metropolitan Area, Ozone, dated June 1986, submitted by the Governor on July 2, 1986. The plan contains an attainment demonstration, emissions inventories, and a control strategy.

(B) Supplemental information, pursuant to the above referenced plan, was submitted on August 19, 1987.

(C) Negative declarations for certain VOC source categories were submitted on April 16 and August 18, 1987.

(d) Plan revisions were submitted on April 17, 1974, and February 17, 1974.

[37 FR 10867, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.870, see the List of CFR Sections Affected in the Finding Aids sections of this volume.

§ 52.871 Classification of regions.

The Kansas plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Kansas City Interstate	I	III	III	I	I
South Central Kansas Intrastate	I	III	III	III	I
Northeast Kansas Intrastate	I	III	III	III	III
Southeast Kansas Intrastate	III	III	III	III	III
North Central Kansas Intrastate	I	III	III	III	III
Northwest Kansas Intrastate	I	III	III	III	III
Southwest Kansas Intrastate	I	III	III	III	III

[37 FR 10867, May 31, 1972]

§ 52.872 [Reserved]

§ 52.873 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Kansas' plan for the attainment and maintenance of the national standards. Continued satisfaction of the requirements of Part D for the ozone, carbon monoxide, and TSP portions of the Kansas SIP depends on the adoption of the regulatory element of the plan as permanent amendments to the Kansas air quality regulations, the adoption of a regulation covering leaks from tank trucks serving bulk petroleum terminals and vapor recovery system, the adoption and submission of additional reasonably available control technology (RACT) requirements for any source covered by Control Technology Guidelines issued by EPA in the future, the revision of the new source review permit regulation to comply with section 173(3) of the CAA, and the submission of the results from additional study of the state's determination that all major sources are controlled to a degree representing RACT and of a compliance schedule for recommended actions to bring these sources to RACT, as needed. No action was taken on the non-Part D requirements of the Act.

[37 FR 10867, May 31, 1972, as amended at 46 FR 20170, Apr. 3, 1981; 46 FR 61118, Dec. 15, 1981]

§ 52.874 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since authority to make emission data available to the public is inadequate. Kansas Statutes Annotated 65-3015 would require confidential treatment if the data related to processes or production unique to the owner or would tend to affect adversely the competitive position of the owner.

(b) The requirements of § 51.232(b) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) *Kansas City, Kans.-Wyandotte County Health Department.* (i) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated local air quality conservation authority with the same authority as the State (§ 51.230(f) of this chapter).

(2) *Topeka-Shawnee County Health Department.* (i) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated air quality conservation authority with the same authority as the State (§ 51.230(f) of this chapter).

(3) *Wichita-Sedgwick County Health Department.* (i) Authority to make emission data available to the public is inadequate because the Kansas Stat-

utes Annotated 65-3016 provides a designated local air quality conservation authority with the same authority as the State (§ 51.230(f) of this chapter).

(c) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

[37 FR 10867, May 31, 1972, as amended at 39 FR 7281, Feb. 25, 1974; 51 FR 40676, Nov. 7, 1986]

§52.875 [Reserved]

§52.876 Compliance schedules.

(a) The requirements of § 51.260 and of § 51.15(a)(2) of this chapter as of September 19, 1976 (40 FR 43216), are not met since the plan does not contain legally enforceable compliance schedules setting forth the dates by which all stationary sources or categories of such sources must be in compliance with applicable portions of the control strategy. Paragraphs C and D of Kansas Regulation 28-19-9 specify that all sources not in compliance must submit an acceptable compliance schedule within 120 days after receiving notification from the State. There are no assurances that all sources will be notified by the State in a timely manner, therefore, paragraphs C and D of Regulation 28-19-9 are disapproved.

(b) *Federal compliance schedule.* (1) Except as provided in paragraph (2) of this paragraph (b), the owner or operator of any stationary source subject o any emission regulation which is art of the approved plan shall be in ompliance on or before January 31, 974.

(i) Any owner or operator in compliance with any such applicable regulaon on the effective date of this paragraph shall certify such compliance to the Administrator no later than December 31, 1972.

(ii) Any owner or operator who achieves compliance with any such applicable regulation after the effective date of this paragraph shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(2) An owner or operator of a stationary source subject to any emission regulation approved by the Administrator may no later than December 31, 1972, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with such regulation as expeditiously as practicable, but no later than July 31, 1975. The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Letting of necessary contracts for construction or process changes, if applicable; initiation of construction; completion and startup of control systems; performance tests; and submittal of performance test analysis and results.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(4) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(c) *State compliance schedules.* (1) The compliance schedules for the sources identified below are approved as revisions to the plan pursuant to § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

KANSAS

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance d
Oxford Dehydrating Co	Oxford	28-19-20	Sept. 26, 1972	Immediately	Nov. 1, 1974.
National Alfalfa Dehydrating and Milling Co.	Grantville	28-19-20	Apr. 5, 1973	do	Aug. 1, 1974.
	Independence	28-19-20	do	do	Do.
	Leroy	28-19-20	do	do	Do.
R-W Milling Co	Wamego	28-19-20	Apr. 27, 1973	do	Oct. 1, 1974.
Harry M. Liggett Co., Inc	Concordia	28-19-20	Mar. 12, 1973	do	Nov. 1, 1974.
Fredonia Dehydrating & Milling Co.	Fredonia	28-19-20	Mar. 13, 1973	do	Do.
Deitz Hill Development Co.; Primary and secondary crusher.	Kansas City	28-19-20	Dec. 14, 1973	do	Apr. 1, 1975.
Owens-Corning Fiberglas Corp.:					
J-6 forming plan B	do	28-19-20	Apr. 19, 1974	do	July 31, 1975.
J-5 glass furnace	do	28-19-20 28-19-50	Dec. 14, 1973	do	July 1, 1974.
J-5 forming plan B	do	28-19-20	Apr. 19, 1974	do	July 31, 1975.
K-3 forming plan A	do	28-19-20	Dec. 14, 1973	do	Feb. 1, 1974.
K-3 forming plan B	do	28-19-20	Apr. 19, 1974	do	July 31, 1975.
K-4 forming plan A	do	28-19-20	Dec. 14, 1973	do	Feb. 1, 1974.
K-4 forming plan B	do	28-19-20	Apr. 19, 1974	do	July 31, 1975.
No. 70 glass furnace	do	28-19-20 28-19-50	do	do	Oct. 31, 1974
No. 70 forming	do	28-19-20	Dec. 14, 1973	do	July 1, 1975.
No. 71 glass furnace	do	28-19-20	do	do	Apr. 1, 1975.
No. 71 forming	do	28-19-20	do	do	Do.
No. 72 glass furnace	do	28-19-20	do	do	June 1, 1975.
No. 72 forming	do	28-19-20	do	do	Do.
I glass furnace	do	28-13-20	do	do	July 31, 1975
I oven stack	do	28-19-20	Apr. 19, 1974	do	Sept. 30, 197
H glass furnace	do	28-19-20	Dec. 14, 1973	do	Mar. 1, 1975.
Colt Industries: Cupolas Nos. 1 and 2.	do	28-19-20 28-19-50	May 9, 1974	do	Sept. 15, 197
U.S. Industrial Chemicals Co.: acid plant.	Desoto	28-19-50	Dec. 14, 1973	do	Do.
Certain-Teed Products Corp.:					
K-2 furnace plan A	Kansas City	28-19-20	do	do	June 1, 1974
K-2 furnace plan B	do	28-19-20	do	do	Dec. 31, 197
K-8 furnace plan A	do	28-19-20 28-19-50	do	do	June 1, 1974
K-8 furnace plan B	do	28-19-20 28-19-50	Dec. 14, 1973	do	Dec. 31, 197
K-2 forming plan A	do	28-19-20	do	do	Dec. 31, 197
K-2 forming plan B	do	28-19-20	do	do	June 3, 1974
K-1 forming area plan A	do	28-19-20	do	do	June 1, 1974
K-1 forming area plan B	do	29-19-20	do	do	Dec. 31, 197
K-8 curing section	do	28-19-20	do	do	July 31, 197
Cooperative Farm Chemicals Association:					
No. 2 ammonium nitrate neutralizer and prilling tower.	Lawrence	28-19-20 28-19-50	do	do	July 31, 197
No. 1 ammonium nitrate evaporator and prilling tower.	do	28-19-20 28-19-50	do	do	Do.
Ismert-Hincke Milling Co.:					
Hammer mill suction filter	Topeka	28-19-50	do	do	Do.
Wheat unloading pits suction	do	28-19-50	do	do	Do.
Kaw Dehydrating Co.: Alfalfa dehydrator.	Rossville	28-19-20	do	do	June 1, 197
Lincoln Grain, Inc.: Grain cleaners.	Atchison	28-19-20	do	do	Apr. 1, 1974
Mid-American Dairymen, Inc.: Spray dryers.	Sabetha	28-19-20	Apr. 19, 1974	do	Dec. 31, 197
Midwest Solvents, Inc.:					
Gluten dryers	Atchison	28-19-20	Dec. 14, 1973	do	June 30, 197
Starch dryers	do	28-19-20	do	do	Do.
Animal feed production	do	28-19-20	do	do	Feb. 1, 197
N. R. Hamm Quarry:					
Crusher No. 25-1	Perry	28-19-20	do	do	Apr. 1, 1974
Crusher No. 25-2	do	28-19-20	do	do	Oct. 1, 1974

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Rodney Milling Co.:					
Wheat cleaning suction filter A	Topeka	28-19-50	do	do	June 30, 1974.
Wheat cleaning suction filter B	do	28-19-50	do	do	Aug. 31, 1974.
Wheat cleaning suction filter C	do	28-19-50	do	do	Oct. 31, 1974.
Wheat cleaning suction filter D	do	28-19-50	do	do	Dec. 31, 1974.
Milo mill suction:		28-19-50	do	do	Feb. 28, 1975.
A and B house gallery suction system.	do	28-19-50	do	do	Do.
A and B house tunnel suction system.	do	28-19-50	do	do	June 30, 1975.
C house gallery and tunnel suction system.	do	28-19-50	do	do	July 30, 1975.
Thompson Dehydrating: Alfalfa dehydrator.	Bellevue	28-19-20	Dec. 14, 1974	do	Oct. 1, 1974.
Ransom Memorial Hospital: Incinerator.	Ottawa	28-19-40	Jan. 18, 1974	do	Do.
Gulf and Western Industries: Taylor Forge Division.	Paola	28-19-50	Apr. 19, 1974	do	June 1, 1974.
Elwood USD No. 486: Incinerator.	Elwood	28-19-50C 28-19-50D	Feb. 8, 1974	do	Jan. 1, 1975.
St. Peter and St. Paul High School: Open burning.	Seneca	28-19-45	do	do	July 31, 1975.
Nemaha Valley Schools—USD No. 442: Incinerators (2).		28-19-40C	do	do	Jan. 1, 1975.
Duckwall Stores, Inc.: Alco Store No. 45.	Manhattan	28-19-40	Dec. 14, 1973	do	July 1, 1974.
Beyer Construction Co.: Rock crushing plant.		28-19-20	do	do	Feb. 1, 1974.
C. K. Processing Co., Inc.: Alfalfa dehydrator.	Salina	28-19-20	do	do	July 1, 1974.
Clay Center Dehydrating Co.: Alfalfa dehydrator.	Clay Center	28-19-20	do	do	Oct. 30, 1974.
Gibson Products Co.: Incinerator	Junction City	28-19-40	do	do	July 1, 1974.
Longford Mill Products, Inc.: Alfalfa dehydrator.	Clay Center	28-19-20 28-19-50	do	do	Nov. 15, 1974.
Solomon Electric Supply, Inc.: Open burning.	Solomon	28-19-45	do	do	Feb. 1, 1974.
Wyatt Manufacturing Co., Inc.: Gray iron foundry cupola.	Salina	28-19-20	do	do	May 30, 1974.
R-K Shopper, Inc.: Incinerator	Mankato	28-19-40C 28-19-40D	Feb. 8, 1974	do	Sept. 1, 1974.
Royal Brand Roofing: Roofing machine.	Phillipsburg	28-19-50	Dec. 14, 1973	do	Mar. 1, 1975.
Acme Foundry & Machine Co.: Cupola furnace.	Coffeyville	28-19-20	do	do	Sept. 21, 1974.
Allen County Highway Department:					
Primary crusher and secondary crusher and screening.	Iola	28-19-20	do	do	Apr. 1, 1974.
Central Non-Ferrous, Inc.:					
Sweater furnaces (2)	Fort Scott	28-19-20	do	do	Dec. 1, 1974.
Chlorination Processes (2)	do	28-19-20	do	do	Do.
Walker Products Co., Inc.: Alfalfa dehydrator.	Lincoln	28-19-20	do	do	July 1, 1975.
General Portland, Inc.:					
Rock crushing	Fredonia	28-19-20	Apr. 19, 1974	do	July 15, 1974.
Clinker burning kilns	do	28-19-20	do	do	Aug. 1, 1974.
Gulf Oil Chemicals Co.:					
Nos. 11 and 12 dupond nitric acid units.	Pittsburg	28-19-50	Dec. 14, 1973	do	Jan. 1, 1975.
Nos. 17, 18, and 19 ammonium nitrate.	do	28-19-20	do	do	Mar. 1, 1974.
Neutralizers	do	28-19-50			
Jencast Products: Cupola furnace.	Coffeyville	28-19-20	Dec. 14, 1973	do	July 31, 1975.
Kansas City Power & Light:					
Main boiler	La Cygne	28-19-31B	do	do	May 1, 1975.
Startup boilers	do	28-19-50	do	do	May 1, 1974.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Labette County Highway Department: Secondary crushing and screening.	Oswego	28-19-20	do	do	Oct. 15, 1974.
Longton Dehydrating and Milling Co.: Alfalfa dehydrator.	Longton	28-19-20	do	do	July 1, 1975.
Midwest Minerals, Inc.:					
Plant No. 1 (primary crusher, secondary crusher, tertiary crusher, recrusher, and fines mill).	Girard	28-19-20	do	do	July 1, 1974.
Plant No. 2 (primary crusher, secondary crusher, recrusher, and fines mill.	do	28-19-20	do	do	Do.
Plant No. 3 (primary crusher, secondary crusher, tertiary crusher, recrusher, and fines mill).	do	28-19-20	do	do	Do.
National Alfalfa Dehydrating and Milling Co.: Alfalfa dehydrator.	Fredonia	28-19-20	do	do	July 31, 1975.
Pittsburg & Midway Coal Mining Co.: Coal-fired boilers.	Hallowell	28-19-31	do	do	May 31, 1975.
Sherwin-Williams Co.: Black ash kiln.	Coffeyville	28-19-50	Apr. 19, 1974	do	July 1, 1974.
Western Alfalfa Corp.: Alfalfa dehydrator.	Noodasha	28-19-20	Dec. 14, 1973	do	Aug. 1, 1974.
U.S. Steel-Universal Atlas Cement:					
Clinker kilns (4)	Independence	28-19-20	Feb. 8, 1974	do	May 31, 1974.
Rock dryers (3)	do	28-19-20	do	do	Do.
Mercy Hospital: Incinerator	Fort Scott	28-19-40	do	do	July 31, 1975.
Mr. Z's IGA: Incinerator	Emporia	28-19-40	do	do	Jan. 1, 1975.
Self Service Super Markets: Incinerator.	Chanute	28-19-40	do	do	July 1, 1974.
Sherwin-Williams Co.: $ZnSO_4$ spray dryer.	Coffeyville	28-19-50	do	do	Apr. 15, 1974.
Benedict Rock and Lime Co.:					
Primary crusher	Benedict	28-19-20	Jan. 18, 1974	do	July 1, 1974.
Secondary crusher and screening.	do	28-19-20	do	do	Do.
Coffeyville Memorial Hospital: Incinerator.	Coffeyville	28-19-40	do	do	May 1, 1974.
Foodtown Store: Incinerator	Chanute	28-19-40	do	do	Do.
Do	Coffeyville	28-19-40	do	do	Do.
McAdem Construction Co.:					
Primary crusher	Garnett	28-19-20	do	do	July 15, 1974.
Secondary crusher and screening.	do	28-19-20	do	do	Do.
Primary crusher	Mound City	28-19-20	do	do	Do.
Secondary crusher and screening.	do	28-19-20	do	do	Do.
Pence Food Center: Incinerator	Chanute	28-19-40	do	do	Dec. 31, 1974.
Do	Humboldt	28-19-40	do	do	Do.
Unified School District No. 445:					
Garfield Incinerator	Coffeyville	28-19-40	do	do	Sept. 1, 1974.
Longfellow Incinerator	do	28-19-40	do	do	Do.
Edgewood Incinerator	do	28-19-40	do	do	Do.
Town and Country Supermarket (Withow Corp.): Incinerator.	Columbus	28-19-40	Apr. 19, 1974	do	May 15, 1974.
Duckwall Stores, Inc.: Alco Discount Store.	Newton	28-19-40	Dec. 14, 1973	do	July 1, 1974.
Bert and Wetta Sales, Inc.: Alfalfa dehydrating.	Maize	28-19-20	do	do	Nov. 1, 1974.
Cargill, Inc.:					
Bean Dryer	Witchita	28-19-20	do	do	June 1, 1975.
Rail Car Unloading Facility	do	28-19-20	do	do	Dec. 1, 1974.
Cities Service Oil Co.: Hydrocarbon Storage Wells.	Hutchinson	28-19-47C	do	do	June 1, 1974.
Colman Alfalfa Milling Co.: Alfalfa dehydrating plant.	Haven	28-19-20 28-19-50	do	do	July 1, 1974.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
George M. Myers, Inc.: Portable rockcrushing units.	El Dorado	28-19-20	do	do	May 1, 1974.
ernational Multi Foods: Hammer milling process.	Hutchinson	28-19-20	do	do	July 15, 1974.
Sunny Kansas Flour Mills:					
Truck unloading pits	Wichita	28-19-20	do	do	June 1, 1975.
Rail car unloading facility	do	28-19-20	do	do	Apr. 1, 1975.
Basement conveying system	do	28-19-20	do	do	June 1, 1974.
Gallery conveying system	do	28-19-20	do	do	May 1, 1974.
estern Alfalfa Corp.: Alfalfa dehydrating plant.	Belle Plaine	28-19-20	do	do	Aug. 1, 1974.
Do	Douglass	28-19-20	do	do	Do.
Do		28-19-20	do	do	July 31, 1975.
Do	Mount Hope	28-19-20	do	do	Do.
Do	Oxford	28-19-20	do	do	Aug. 1, 1974.
estern Grain, Inc.: Elevator Dust Collection System (Receiving Pit, North Gallery Upper Belt, South Gallery Upper Belt, North Gallery Lower Belt, South Gallery Lower Belt).	Wichita	28-19-20	do	do	Sept. 30, 1974.
Far-Mar-Co., Inc.:					
Elevator A—Head house legs	do	28-19-20	do	do	June 15, 1974.
Elevator B—head house legs	do	28-19-20	do	do	Do.
Elevators C and D—head house legs.	do	28-19-20	do	do	Do.
Sam P. Wallingford, Inc.:					
Grain cleaner	do	28-19-20	do	do	June 30, 1974.
Elevator receiving pits	do	28-19-20	do	do	July 1, 1975.
Southwest elevator conveying system.	do	28-19-20	do	do	June 30, 1974.
West elevator conveying system.	do	28-19-20	do	do	Do.
North elevator conveying system.	do	28-19-20	do	do	Do.
East elevator conveying system.	do	28-19-20	do	do	Do.
ollins Grocery: Incinerator	Hutchinson	28-19-40	Jan. 18, 1974	do	June 1, 1974.
ewton Presbyterian Manor: Incinerator.	Newton	28-19-40 28-19-41	do	do	July 1, 1974.
alem Hospital, Inc.: Incinerator	Hillsboro	28-19-40 28-19-41	do	do	Jan. 1, 1975.
alter Kenler Co., Inc.:					
Secondary Rock Crusher	Florence	28-19-20	do	do	July 1, 1974.
Fines Mill	do	28-19-20	do	do	Do.
ano Chemical Co.: Flare	Richfield	28-19-45	Dec. 14, 1973	do	June 30, 1975.
moco Production Co.: Flare	Kinsler	28-19-45	do	do	June 1, 1974.
Do	Ulysses	28-19-45	do	do	Do.
rt and Wetta Sales, Inc.: Alfalfa dehydrating.	Larned	28-19-20	do	do	May 31, 1975.
Do	Rozel	28-19-20	do	do	Do.
ies Service Oil Co.: Evaporation lagoons.	Satanta	28-19-45	do	do	June 1, 1974.
Do	Scott City	28-19-45	do	do	Do.
lorado Interstate Gas Co.: Flare.	Lakin	28-19-45	do	do	Sept 15, 1974.
ea Petroleum Co.: Flare pit	Ulysses	28-19-45	do	do	June 1, 1974.
ea Petroleum Co.: Flare	do	28-19-45	do	do	Do.
d Bond Building Products:					
aymond mills (3)	Medicine Lodge	28-19-20	do	do	Oct. 1, 1974.
lock grinders (2)	do	28-19-50	do	do	Apr. 1, 1975.
oard end trimming	do	28-19-50	do	do	Do.
otary calciners (2)	do	28-19-20	do	do	June 1, 1975.
. Cooperative Grain Co.: Hay and barley milling.	Kiowa	28-19-20	do	do	Jan. 1, 1975.
stern Alfalfa Corp.: Alfalfa dehydrating plant.	Deerfield	28-19-20	do	do	July 31, 1975.
o	Garden City	28-19-20	do	do	Aug. 1, 1974.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Do	Holcomb	28–19–20	...do	...do	Do.
Do	Larned	28–19–20	...do	...do	Do.
Do	Lowe	28–19–20	...do	...do	Do.
Do	Peterson	28–19–20	...do	...do	Do.
Do	Tice	28–19–20	...do	...do	July 1, 1975.
Gardner United Super: Incinerator.	Gardner	28–19–40C 28–19–40D	Apr. 19, 1974	...do	May 1, 1975.
U.S.D. No. 458:					
Basehor Elementary School	Basehor	28–19–45	May 9, 1974	...do	July 31, 1975.
Basehor Junior High School	...do	28–19–45	...do	...do	Do.
Basehor High School	...do	28–19–45	...do	...do	Do.
Fairmount Elementary School	...do	28–19–45	...do	...do	Do.
Linwood School	...do	28–19–45	...do	...do	Do.
U.S.D. No. 449:					
Easton Grade School	Easton	28–19–45	...do	...do	Do.
Salt Creek Valley School	...do	28–19–45	...do	...do	Do.
Easton High School	...do	28–19–45	...do	...do	Do.
Board of Education Office	...do	28–19–45	...do	...do	Do.
U.S.D. No. 232:					
DeSoto Senior High School	DeSoto	28–19–45	...do	...do	Do.
DeSoto Junior High School	...do	28–19–45	...do	...do	Do.
DeSoto Elementary School	...do	28–19–45	...do	...do	Do.
Annex Elementary School	...do	28–19–45	...do	...do	Do.
Sunflower Elementary School	...do	28–19–45	...do	...do	Do.
U.S.D. No. 323: Open burning	Westmoreland	28–19–45	Apr. 19, 1974	...do	Do.
U.S.D. No. 329: Open burning	Alma	28–19–45	...do	...do	Do.
U.S.D. No. 330: Open burning	Eskridge	28–19–45	...do	...do	Do.
U.S.D. No. 335: Open burning	Holton	28–19–45	...do	...do	Do.
U.S.D. No. 336: Open burning	...do	28–19–45	...do	...do	Do.
U.S.D. No. 377: Open burning	Effingham	28–19–45	...do	...do	Do.
Walt's IGA Store: Open burning	Onaga	28–19–45	...do	...do	Do
Bulldex, Inc.: Four kilns	Ottawa	28–19–50	Dec. 14, 1974	...do	June 1, 1975.
U.S.D. No. 510: Elementary and high school.	Powhatten	28–19–45	May 9, 1974	...do	July 31, 1975.
U.S.D. No. 498:					
Valley Heights Elementary (Blue Rapids).	Waterville	28–19–45	...do	...do	Jan. 1, 1975.
Valley Heights Elementary (Waterville).	...do	28–19–45	...do	...do	Do.
Valley Heights High School (Blue Rapids).	...do	28–19–45	...do	...do	Do.
U.S.D. No. 488:					
Axtell Attendance Center	Axtell	28–19–45	...do	...do	July 31, 1975.
Bern Attendance Center	...do	28–19–45	...do	...do	Do.
Summerfield Attendance Center.	...do	28–19–45	...do	...do	Do.
U.S.D. No. 421: Vassar Attendance Center.	Lyndon	28–19–45	...do	...do	Do.
U.S.D. No. 416:					
Louisburg Elementary School	Louisburg	28–19–45	...do	...do	Do.
Louisburg High School	...do	28–19–45	...do	...do	Do.
Circle Grove Elementary School.	...do	28–19–45	...do	...do	Do.
Bucyrus Elementary School	...do	28–19–45	...do	...do	Do.
U.S.D. No. 321:					
Delia Elementary Attendance Center.	St. Mary's	28–19–45	...do	...do	Do.
Emmett Elementary Attendance Center.	...do	28–19–45	...do	...do	Do.
U.S.D. No. 287:					
Appanoose School	Pomona	28–19–45	...do	...do	Do.
Pomona Elementary School	...do	28–19–45	...do	...do	Do.
Pomona Secondary School	...do	28–19–45	...do	...do	Do.
Williamsburg School	...do	28–19–45	...do	...do	Do.
Plainville Rural Hospital: incinerator.	Plainville	28–19–40	...do	...do	July 1, 1975.
Graham County Hospital: Incinerator.	Hill City	28–19–40	...do	...do	Do.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
ies Service Oil (Cheney):					
Emergency flare	Kingman County	28–19–47C	Mar. 8, 1974	do	July 1, 1974.
Oil-water separator	do	28–19–45	do	do	Do.
ies Service Oil (Midway):					
Emergency flare	do	28–19–47C	do	do	Do.
Oil-water separator	do	28–19–45	do	do	Do.
son Quarries, Inc.:					
Labo No. 1 Rock Crusher	La Harpe	28–19–20	Apr. 19, 1974	do	Oct. 31, 1974.
Indian Creek No. 2 Rock Crusher.	do	28–19–20	do	do	Apr. 30, 1975.
Moran No. 3 Rock Crusher	do	28–19–20	do	do	July 31, 1975.
borne Grain Co.: Grain cleaner.	Gridley	28–19–20	May 9, 1974	do	July 1, 1974.
eka Alfalfa Processors: Alfalfa dehydrator.	Eureka	28–19–20	do	do	June 1, 1975.
S.D. No. 250:					
Senior High Athletic Field: Incinerator.	Pittsburge	28–19–40	Apr. 19, 1974	do	Oct. 1, 1974.
Roosevelt Junior High Athletic Field: Incinerator.	do	28–19–40	do	do	Do.
Board of Education Bldg.: Incinerator.	do	28–19–40	do	do	Do.
Eugene Field Elementary School: Incinerator.	do	28–19–40	do	do	Do.
Lone Star School: Incinerator	do	28–19–40	do	do	Do.
Senior High and Roosevelt Junior High School: Incinerator.	do	28–19–40	do	do	Do.
Lakeside Elementary and Junior High: Incinerator.	do	28–19–40	do	do	Do.
Lincoln Elementary School: Incinerator.	do	28–19–40	do	do	Do.
Maintenance Bldg.: Incinerator	do	28–19–40	do	do	Do.
George E. Nettles Elementary School: Incinerator.	do	28–19–40	do	do	Do.
Vocational-technical School Incinerator.	do	28–19–40	do	do	Do.
shington Elementary School: ncinerator.	do	28–19–40	do	do	Do.
stwide Elementary School: ncinerator.	do	28–19–40	do	do	Do.
dee's of Wichita:					
harbroiler—5207 East Kellogg.	Wichita	28–19–50B	do	do	May 15, 1974.
harbroiler—201 East Douglas	do	28–19–50B	do	do	Do.
harbroiler—2420 East Douglas.	do	28–19–50B–	do	do	Do.
harbroiler—3006 South Seneca.	do	28–19–50B	do	do	Do.
harbroiler—1909 East Pawnee.	do	28–19–50B	do	do	Do.
e Service Gas Co.: Com- ressor station incinerator.	Matfield Green	28–19–40	May 9, 1974	do	Aug. 1, 1974.
D. No. 356:					
yle Trueblood Elementary School.	Conway Springs	28–19–45	do	do	June 1, 1975.
onway Springs Junior-Senior High School.	do	28–19–45	do	do	Do.
D. No. 263:					
oomenshine Grade School: Incinerator.	Mulvane	28–19–40	do	do	May 1, 1975.
unson Primary School: Incinerator.	do	28–19–40	do	do	Do.
ulvane Junior High: Incinerator.	do	28–19–40	do	do	Do.
ulvane Senior High: Incinerator.	do	28–19–40	do	do	Do.
D. No. 445:					
EK Vo-Tech: Incinerator	Coffeyville	28–19–40	do	do	Sept. 1, 1974.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Ceder Bluff School: Incinerator	do	28-19-40	do	do	Do.
McKinley School: Incinerator	do	28-19-40	do	do	Do.
Clymore School: Incinerator	do	28-19-40	do	do	Do.
Dearing School: Incinerator	do	28-19-40	do	do	Do.
Liberty School: Incinerator	do	28-19-40	do	do	Do.
Lowell School: Incinerator	do	28-19-40	do	do	Do.
Whittier School: Incinerator	do	28-19-40	do	do	Do.
U.S.D. No. 507:					
Satanta High School	Satanta	28-19-45	do	do	July 1, 1975.
Satanta Grade School	do	28-19-45	do	do	Do.
U.S.D. No. 363: School Farm Pit	Holcomb	28-19-45	do	do	July 31, 1975.
Hodgeman County Health Center: Incinerator.	Jetmore	28-19-31C	do	do	Do.
Northern Natural Gas Co.: Flare pit.	Holcomb	28-19-45	do	do	Dec. 1, 1974.
Gardner United Super: Incinerator.	Gardner	28-19-40C 28-19-40D	Apr. 19, 1974	do	May 1, 1975.
Dooley and Co.: Alfalfa dehydrator.	Lansing	28-19-20	Mar. 8, 1974	do	Do.
St. Joseph's Catholic Grade School: Incinerator.	Overland Park	28-19-40D 28-19-40C	do	do	July 31, 1975.
Van's Food Center: Incinerator	Shawnee	28-19-40D	do	do	Do.
		28-19-40C	Feb. 8, 1974		Sept. 1, 1974.
S-G Metals Industries, Inc.: Aluminum furnaces 1-7.	Kansas City	28-19-20 28-19-50	May 18, 1974	do	Aug. 31, 1974.
Community Hospital: Incinerator	Onaga	28-19-40D 28-19-40C	Mar. 8, 1974	do	Jan. 31, 1975.
U.S.D. No. 364: Open burning	Marysville	28-19-45	do	do	Jan. 1, 1975.
U.S.D. No. 430: Open burning	Horton	28-19-45	do	do	July 1, 1974.
U.S.D. No. 248:					
Girard High School: Incinerator.	Girard	28-19-45	do	do	Do
Emerson Elementary School: Incinerator.	do	28-19-45	do	do	Do.
Greenbush Elementary School: Incinerator.	do	28-19-45	do	do	Do.
Hepler Elementary School: Incinerator.	do	28-19-45	do	do	Do.
Lowell Elementary School: Incinerator.	do	28-19-45	do	do	Do.
Walnut Elementary School: Incinerator.	do	28-19-45	do	do	Do.
Cities Service Oil (Cheney):					
Emergency flare	Kingman County	28-19-47C	do	do	Do.
Oil-water separator	do	28-19-45	do	do	Do.
Cities Service Oil (Midway):					
Emergency flare	do	28-19-47C	do	do	Do.
Oil-water separator	do	28-19-45	do	do	Do.
Grant County Road Department: Asphalt plant.	Ulysses	28-19-20	do	do	July 15, 1974.
Cullor Limestone Co., Inc.:					
Primary crushers (2)	Fort Scott	28-19-20	do	do	July 1, 1974.
Secondary crushers (2)	do	28-19-20	do	do	Do.
Tertiary crushers (2)	do	28-19-20	do	do	Do.
Fines mills (2)	do	28-19-20	do	do	Do.
C. K. Processing Co., Inc.: Alfalfa Dehydrator.	Manhattan	28-19-20	June 28, 1974	do	Nov. 1, 1974.
Far-Mar-Co., Inc.:					
Elevator A—Rail Car Unloading.	Wichita	28-19-20	do	do	Aug. 15, 1974.
Elevator B—Rail Car Unloading.	do	28-19-20	do	do	Do.
Elevator A—Basement Conveyor.	do	28-19-20	do	do	Do.
Elevator A—Head House Legs	do	28-19-20	do	do	Do.
Elevator B—Head House Legs	do	28-19-20	do	do	Do.
Elevator B—Basement Conveyor.	do	28-19-20	do	do	Do.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Elevator C—Basement Conveyor.	......do	28-19-20	......do	......do	Do.
Elevator D—Basement Conveyor.	......do	28-19-20	......do	......do	Do.
Elevators C and D—Head House Legs.	......do	28-19-20	......do	......do	Do.
Frst National Bank: Incinerator	Great Bend	28-19-40	......do	......do	Aug. 31, 1974.
Gove County Hospital: Incinerator.	Quinter	28-19-40	......do	......do	Feb. 1, 1975.
Hanover-Washington County Hospital: Incinerator.	Hanover	28-19-40	......do	......do	July 1, 1975.
ansas Refine Helium Co.: Safety Flare.	Otis	28-19-45	......do	......do	Sept. 1, 1974.
Rush County Hospital: Incinerator.	LaCrosse	28-19-40	......do	......do	Oct. 1, 1974.
ansas State University Health Center: Incinerator.	Manhattan	28-19-40	......do	......do	Jan. 1, 1975.
eoples State Bank: Incinerator	McPherson	28-19-40	......do	......do	Apr. 30, 1975.
armers National Bank: Incinerator.	Abilene	28-19-40	......do	......do	Sept. 1, 1974.
atanta District Hospital: Incinerator.	Satanta	28-19-40 28-19-41	 June 28, 1974	......do	Jan. 1, 1975.
tevens County Hospital: Incinerator.	Hugoton	28-19-40 28-19-41	......do	......do	June 30, 1975.
t. Joseph Memorial Hospital: Incinerators Nos. 1 and 2.	Larned	28-19-40C 28-19-40D 28-19-41	 June 28, 1974	......do	July 31, 1975.
S.D. No. 459: Bucklin High School Incinerator.	Bucklin	28-19-40	......do	......do	Do.
S.D. No. 457:					
Friend Elementary Incinerator	Garden City	28-19-40	......do	......do	Sept. 1, 1974.
Jenny Barker Elementary Incinerator.	......do	28-19-40	......do	......do	Do.
Lincoln Elementary Incinerator	......do	28-19-40	......do	......do	Do.
Piercevill-Plymell Elementary Incinerator.	......do	28-19-40	......do	......do	Do.
Theoni Elementary Incinerator	......do	28-19-40	......do	......do	Do.
Valentine Elementary Incinerator.	......do	28-19-40	......do	......do	Do.
S.D. No. 219: Incinerator (Minneola High)	Minneola	28-19-40	......do	......do	July 31, 1975.
att County Hospital: Incinerator.	Pratt	28-19-40 28-19-41	......do	......do	June 30, 1975.
owa District Hospital: Incinerator.	Kiowa	28-19-40 28-19-41	......do	......do	Nov. 1, 1974.
S.D. No. 381:					
Spearville Grade Incinerator	Spearville	28-19-40	......do	......do	July 31, 1975.
Spearville High Incinerator	......do	28-19-40	......do	......do	Do.
Windthorst Middle Grade Incinerator:.	......do	28-19-40	......do	......do	Do.
w Era Milling Co.: Grain Screening Separator.	Arkansas City	28-19-20	......do	......do	Sept. 1, 1974.
S.D. No. 342:					
McLouth Elementary Open Burning.	McLouth	28-19-45	......do	......do	July 1, 1975.
cLouth High Open Burning	......do	28-19-45	......do	......do	Do
ton Foundry, Inc: Cupola	Iola	28-19-20	......do	......do	Dec. 31, 1974
e County Hospital: Incinerator.	Dighton	28-19-40	July 26, 1974	......do	July 31, 1975.
rton County Hospital: Incinerator.	Elkhart	28-19-40 28-19-41	 July 26, 1974	......do	Do.
d Bond Building Products:					
alcining Kettles (3)	Medicine Lodge	28-19-20	......do	......do	Aug. 1, 1974.
aymond Mills (3)	......do	28-19-20	Dec. 14, 1973	......do	Oct. 1, 1974.
ock Grinders (2)	......do	28-19-50	......do	......do	Apr. 1, 1975.
oard End Trimming	......do	28-19-50	......do	......do	Do.
otary Calciners (2)	......do	28-19-20	......do	......do	June 1, 1975.
s Industries, Inc.: Terminal levator.	Wichita	28-19-20	July 26, 1974	......do	June 15, 1975.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Killough-Clark, Inc.:					
Primary Impactor Crushers (2)	Ottawa	28-19-20	do	do	Sept. 1, 1974.
Secondary Hammer Mill (2)	do	28-19-20	do	do	Do.
Tertiary Screening Plant (1)	do	28-19-20	do	do	Do.
Highland Community Junior College: Incinerators Nos. 1 and 2.	Highland	28-19-40C		do	
		28-19-41A	June 28, 1974		Mar. 1, 1975.
Gulf Oil Chemicals Co.: Coal Burning Facilities.	Pittsburg	28-19-31	do	do	June 1, 1975.
U.S.D. No. 506 (Open Burning):					
Altamont Grade School	Altamont	28-19-45	June 21, 1974	do	Sept. 1, 1974.
Fairview Grade School	do	28-19-45	do	do	Do.
Bartlett Grade School	do	28-19-45	do	do	Do.
Ellis Grade School	do	28-19-45	do	do	Do.
Edna Grade School	do	28-19-45	do	do	Do.
Angola Grade School	do	28-19-45	do	do	Do.
Mound Valley Grade School	do	28-19-45	do	do	Do.
Dennis Grade School	do	28-19-45	do	do	Do.
Meadow View Grade School	do	28-19-45	do	do	Do.
U.S.D. No. 479:					
Kincaid Attendance Center Incinerator.	Kincaid	28-19-40	do	do	July 31, 1975.
Colony Attendance Center Incinerator.	do	28-19-40	do	do	Do.
U.S.D. No. 462:					
Alamota Grade School Open Burning.	Dighton	28-19-45	do	do	Sept. 1, 1974.
Amy Grade School Open Burning.	do	28-19-45	do	do	Do.
Shields Grade School Open Burning.	do	28-19-45	do	do	Do.
U.S.D. No. 466:					
Scott City Junior High Incinerator.	Scott City	28-19-40	do	do	Aug. 16, 1974.
Beaver Flats School Open Burning.	do	28-19-45	do	do	Do.
Manning Elementary Open Burning.	do	28-19-45	do	do	Do.
Modoc Elementary Open Burning.	do	28-19-45	do	do	Do.
Scott City Elementary Open Burning.	do	28-19-45	do	do	Do.
Shallow Water Elementary Open Burning.	do	28-19-45	do	do	Do.
Scott City High Open Burning	do	28-19-45	do	do	Do.
U.S.D. No. 374:					
Sublette High Open Burning	Sublette	28-19-45	do	do	July 31, 1975.
Sublette Grade Open Burning	do	28-19-45	do	do	Do.
U.S.D. No. 415:					
Fairview Elementary Open Burning.	Hiawatha	28-19-45	do	do	July 31, 1974.
Hiawatha Elementary Open Burning.	do	28-19-45	do	do	Do.
Hiawatha High Open Burning	do	28-19-45	do	do	Do.
Reserve Elementary Open Burning.	do	28-19-45	do	do	Do.
Robinson Elementary Open Burning.	do	28-19-45	do	do	Do.
Robinson Junior High Open Burning.	do	28-19-45	do	do	Do.
U.S.D. No. 395:					
La Crosse High School Open Burning.	La Crosse	28-19-45	do	do	July 1, 1975.
McCracken High School Open Burning.	do	28-19-45	do	do	Do.
Rush Center Open Burning	do	28-19-45	do	do	Do.
Alexander Grade School Open Burning.	do	28-19-45	do	do	Do.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
D. No. 387:					
oona Junior High School Open Burning.	Buffalo	28–19–45	do	do	Mar. 1, 1975.
dway School Open Burning	do	28–19–45	do	do	Do.
oona Elementary Incinerator.	do	28–19–40	do	do	Do.
D. No. 407:					
ntral Office Incinerator	Russell	28–19–40	do	do	July 1, 1975.
ppenthal Incinerator	do	28–19–40	do	do	Do.
mpson Incinerator	do	28–19–40	do	do	Do.
ckerdyke Incinerator	do	28–19–40	do	do	Do.
rrance High Incinerator	do	28–19–40	do	do	Do.
rrance Elementary Incinerator.	do	28–19–40	do	do	Do.
rham High Open Burning	do	28–19–45	do	do	Do.
rham Elementary Open Burning.	do	28–19–45	do	do	Do.
ray Open Burning	do	28–19–45	do	do	Do.
cas Open Burning	do	28–19–45	do	do	Do.
D. No. 312:					
reka Elementary Open Burning.	Haven	28–19–45	do	do	Do.
ount Hope Elementary Open Burning.	do	28–19–45	do	do	Do.
oder Elementary Open Burning.	do	28–19–45	do	do	Do.
D. No. 269:					
urich Grade School Incinerator.	Palco	28–19–40	do	do	Do.
alco Grade Open Burning	do	28–19–45	do	do	Do.
alco High Open Burning	do	28–19–45	do	do	Do.
urich Grade Open Buring	do	28–19–45	do	do	Do.
amar Grade Open Burning	do	28–19–45	do	do	Do.
D. No. 256:					
armaton Valley High Incinerator.	Moran	28–19–40	do	do	Sept. 1, 1974.
oran Elementary Incinerator	do	28–19–40	do	do	Do.
emore Elementary Incinerator.	do	28–19–40	do	do	Do.
D. No. 208:					
rago Community High	Wakeeney	28–19–45	do	do	July 1, 1975.
akeeney Grade	do	28–19–45	do	do	Do.
ollyer Grade	do	28–19–45	do	do	Do.
gallah Grade	do	28–19–45	do	do	Do.
D. No. 260:					
waney Elementary Incinerator.	Derby	28–19–41B	do	do	Do.
erby Junior High Incinerator	do	28–19–41B	do	do	Do.
erlton Junior High Incinerator	do	28–19–41B	do	do	Do.
ooper Elementary Incinerator	do	28–19–41B	do	do	Do.
aklawn Elementary Incinerator.	do	28–19–41B	do	do	Do.
easant Elementary Incinerator.	do	28–19–41B	do	do	Do.
eratsteer Elementary Incinerator.	do	28–19–41B	do	do	Do.
D. No. 247:					
herokee Grade School Incinerator.	Cherokee	28–19–40	do	do	Dec. 31, 1974.
cCune School Incinerator	do	28–19–40	do	do	Do.
outheast High Incinerator	do	28–19–40	do	do	Do.
est Mineral Grade Incinerator.	do	28–19–40	do	do	Do.
eir Attendance Center Incinerator..	do	28–19–40	do	do	Do.
D. No. 200: Open Burning	Tribune	28–19–45	do	do	July 31, 1975.
D. No. 252:					
artford High Open Burning	Hartford	28–19–45	do	do	Dec. 1, 1974
oard Office Open Burning	do	28–19–45	do	do	Do.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
U.S.D. No. 246:					
Arma Elementary	Arma	28-19-45	......do	......do	Aug. 15, 1974.
Arcadia Elementary	......do	28-19-45	......do	......do	Do.
Northeast High	......do	28-19-45	......do	......do	Do.
Allen County Hospital: Incinerator.	Iola	28-19-40	......do	......do	May 1, 1975.
Stanton County Hospital: Incinerator.	Johnson	28-19-40	......do	......do	July 31, 1975.
Bates County Rock, Inc.: Primary, Secondary Crushing, Screening and Fines Mill.	Linn County	28-19-20			Sept. 15, 1974.
Mammel Food Stores: Open Burning.	Plainville	28-19-45	......do	......do	July 1, 1975.
Plainville State Bank: Open Burning.	......do	28-19-45	......do	......do	Do.
St. Margaret's Mercy Hospital: Incinerator.	Fredonia	28-19-40	......do	......do	Do.
Greenwood County Hospital: Incinerator.	Eureka	28-19-40	......do	......do	Nov. 1, 1974.
Acme Foundry & Machine Co.: Cupola Furnace.	Coffeyville	28-19-20	Aug. 30, 1974	......do	Jan. 21, 1975.
Bucklin District Hospital: Incinerator.	Bucklin	28-19-40C	......do	......do	Sept. 1, 1974.
Certain-Teed Products Corp.: K-8 Furnace Plan B.	Kansas City	28-19-20 28-19-50.	......do	......do	July 31, 1975.
Farmers National Bank: Incinerator.	Abilene	28-19-40	......do	......do	Nov. 1, 1974.
Hill Top House: Incinerator	Bucklin	28-19-40C	......do	......do	Sept. 1, 1974.
Midwest Solvents, Inc.:					
Gluten Dryers	Atchison	28-19-20	......do	......do	Sept. 15, 1974.
Starch Dryers	......do	28-19-20	......do	......do	Do.
Animal Feed Production	......do	28-19-20	......do	......do	Feb. 1, 1974.
National Dehydrating & Milling Co.: Alfalfa Dehydrator.	Grantville	28-19-20	......do	......do	Oct. 1, 1974.
National Alfalfa Dehydrating & Milling Co.: Alfalfa Dehydrator.	LeRoy	28-19-20	......do	......do	Do.
National Alfalfa Dehydrating & Milling Co.: Alfalfa Dehydrator.	Independence	28-19-20	......do	......do	Do.
S-G Metals Industries, Inc.: Aluminum Furnaces 1-7.	Kansas City	28-19-20, 28-19-50.	......do	......do	Feb. 28, 1975.
Hesston State Bank: Incinerator	Hesston	28-19-40	......do	......do	June 1, 1975.
U.S.D. No. 229:					
North Oxford Elementary Open Burning.	Shawnee Mission.	28-19-45	......do	......do	July 1, 1975.
Stanley Elementary Open Burning.	......do	28-19-45	......do	......do	Do.
Stilwell Elementary Open Burning.	......do	28-19-45	......do	......do	Do.
U.S.D. No. 482:					
Alamota Grade School Open Burning.	Dighton	28-19-45	......do	......do	July 31, 1975.
Amy Grade School Open Burning.	......do	28-19-45	......do	......do	Do.
Shields Grade School Open Burning.	......do	28-19-45	......do	......do	Do.
Western Alfalfa Corp.: Alfalfa Dehydrator.	Neodesha	28-19-20	......do	......do	Nov. 1, 1974.
Colt Industries: Cupola	Kansas City	28-19-20, 28-19-50.	......do	......do	Nov. 15, 1974.
Clay Center Dehydrating Co., alfalfa dehydrator.	Clay Center	28-19-20	Oct. 4, 1974	......do	July 1, 1975.
Colorado Interstate Gas Co., safety flare.	Lakin	28-19-45	......do	......do	Nov. 15, 1974.
Fredonia Dehydrating & Milling Co., alfalfa dehydrator.	Fredonia	28-19-20	......do	......do	July 1, 1975.
Greenwood County Hospital, incinerator.	Eureka	28-19-40	......do	......do	June 1, 1975.
Mid-America Dairymen, spray dryers No. 1 & No. 2.	Sabetha	28-19-20	......do	......do	Nov. 1, 1974.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
trict Hospital, incin-	Minneola	28–19–40 28–19–41	do	do	Oct. 1, 1974.
57:					
mentary, incinerator	Garden City	28–19–40	June 21, 1974	do	July 1, 1975.
Grade School	Altamont	28–19–45	do	do	Sept. 1, 1974.
ker Elementary, in- 7.	do	28–19–40	do	do	Do.
ementary, incinerator	do	28–19–40	do	do	Do.
-Plymell Elementary, or.	do	28–19–40	do	do	Do.
mentary, incinerator	do	28–19–40	do	do	Do.
Elementary, inciner-	do	28–19–40	do	do	Do.
256, Marmaton n, incinerator.	Moran	28–19–40	do	do	Jan. 1, 1975.
ral Foundry, Inc., Foundry cupola.	Enterprise	28–19–20	do	do	Dec. 31, 1974.
rict Hospital, inciner-	Satanta	28–19–40 28–19–41	do	do	July 1, 1975.
y Hospital, incinera-	Scott City	28–19–40 28–19–41	do	do	Apr. 30, 1975.
iams Co., oxide cal- ust.	Coffeyville	28–19–50A	do	do	July 31, 1975.
alfa Corp., alfalfa de- plant.	Lowe	28–19–20	do	do	Do.
l Products Corp., K- Plan "A".	Kansas City	28–19–20	Nov. 22, 1974	do	Do.
cts Co., Inc., alfalfa r.	Salina	28–19–20	do	do	July 1, 1975.
ck Co., Inc., second- ng and screening.	Burlington	28–19–20	do	do	July 31, 1975.
atural Gas Co., flare	Holcomb	28–19–45	do	do	Mar. 1, 1975.
ing Fiberglas Corp., ss furnace.	Kansas City	28–19–20 28–19–50	do	do	Do.
515:					
Elementary, open	Hiawatha	28–19–45	do	do	July 31, 1975.
Elementary, open	do	28–19–45	do	do	Do.
High School, open	do	28–19–45	do	do	Do.
Elementary, open	do	28–19–45	do	do	Do.
Elementary, open	do	28–19–45	do	do	Do.
Jr. High, open burn-	do	28–19–45	do	do	Do.
506:					
Grade School, open	Altamont	28–10–45	do	do	Do.
Grade School, open	do	28–19–45	do	do	Do.
Grade School, open	do	28–19–45	do	do	Do.
e School, open burn-	do	28–19–45	do	do	Do.
rade School, open	do	28–19–45	do	do	Do.
Grade School, open	do	28–19–45	do	do	Do.
Valley Grade School, urning.	do	28–19–45	do	do	Do.
Grade School, open	do	28–19–45	do	do	Do.
View Grade School, urning.	do	28–19–45	do	do	Do.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Rodney Milling Co.:					
Wheat cleaning suction filter "D".	Topeka	28-19-50	June 21, 1974	do	Apr. 30, 1975.
Milo mill suction	do	28-19-50	do	do	June 30, 1975.
Yates Center Quarries, primary crushing and screening.	Iola	28-19-20	do	do	Mar. 28, 1975.
Monarch Cement Co., kilns No. 1 and 2.	Humboldt	28-19-20	Mar. 22, 1974	do	June 1, 1975.
Owens-Corning Fiberglas:					
J-5 oven	Kansas City	28-19-20	Mar. 18, 1974	do	Do.
J-6 oven	do	28-19-20	do	do	Do.
K-3 oven	do	28-19-20	do	do	Apr. 1, 1975.
K-4 oven	do	28-19-20	do	do	Do.
Alfalfa, Inc.:					
Rotary dryer feed cyclone	Sublette	28-19-50	Feb. 14, 1974	do	Mar. 1, 1974.
Hammer mill feed cyclone	do	28-19-50	do	do	Do.
Meal bin vent	do	28-19-50	do	do	Do.
Bohm Grain Co., grain cleaner	Osborne	28-19-20	do	do	Aug. 1, 1974.
Smith Center Co-Op Mill & Elevator, elevator leg cyclone.	Smith Center	28-19-50	do	do	Mar. 11, 1974.
Wade Agricultural Products, primary crusher and screening.	LaCygne	28-19-20	Jan. 14, 1974	do	Sept. 1, 1974.
Buffalo Industry, Inc., cupola	Garden City	28-19-20	Apr. 25, 1974	do	July 31, 1975.
Cargil Inc., railcar unloading	Wichita	28-19-20	June 4, 1974	do	July 1, 1975.
Central Non-Ferrous, Inc., chlorination process.	Fort Scot	28-19-20	May 30, 1974	do	June 1, 1975.
Hi-Plains Cooperative Association, grain elevator.	Colby	28-19-50A	June 21, 1974	do	Mar. 1, 1975.
Mesa Petroleum Co., safety relief flare.	Ulysses	28-19-45	May 2, 1974	do	July 31, 1975.
National Gypsum Co. (Gold Bond products) rotary calciners No. 1 and No. 2.	Medicine Lodge	28-19-20	June 21, 1974	do	June 1, 1975.
Smith Center Co-Op Mill & elevator, grain elevator.	Smith Center	28-19-50	do	do	Mar. 1, 1975.
McPherson County Highway Department, hot mix asphalt plant.	McPherson	28-19-20	Sept. 19, 1974	do	Nov. 1, 1974.
A. G. Sherwood Construction Co., hot mix asphalt plant.	Independence	28-19-50A	do	do	Do.
Archer Daniels Midland Co., grain dryer transfer.	Fredonia	28-19-50A	do	do	Apr. 28, 1975.
Cargill Salt Department, rotary salt dryer.	Hutchinson	28-19-50	do	do	Mar. 1, 1975.
C. K. Processing Co., alfalfa dehydrator.	Manhattan	28-19-20	Oct. 8, 1974	do	July 31, 1975.
Sherwin-Williams Chemicals, zinc oxide dryer.	Coffeyville	28-19-50B	do	do	May 1, 1975.
Westhoff Bros. Asphalt & Sand Co., wet washer dust collector.	Great Bend	28-19-50A	do	do	Dec. 1, 1974.
C. E. Industrial Group, incinerator.	Concordia	28-19-50B	Mar. 18, 1974	do	May 24, 1974.
Gorham Farmers Coop Association, grain cleaner.	Gorham	28-19-20	Jan. 22, 1974	do	Aug. 1, 1974.
Jamestown Cooperative:					
Cyclone dust collector	Jamestown	28-19-50	do	do	Mar. 1, 1974.
Receiving pit	do	28-19-50	do	do	Do.
Mid-America Pipeline, flaring system.	Conway	28-19-47C	do	do	June 1, 1974.
Ulysses Cooperative Oil & Supply Co., hammer mill.	Ulysses	28-19-50	Feb. 7, 1974	do	Apr. 1, 1974.
Udall Farmers Union Co-op Association, grain cleaner.	Udall	28-19-20	Feb. 21, 1974	do	Sept. 1, 1974.
Western Alfalfa, alfalfa dehydrator.	Belle Plaine	28-19-20	Feb. 5, 1974	do	July 31, 1975.
Do	Garden City	28-19-20	do	do	Do.
Do	Larned	28-19-20	do	do	Do.
Do	Oxford	28-19-20	do	do	Do.
Do	Peterson	28-19-20	do	do	Do.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Coffeyville Memorial Hospital, incinerator.	Coffeyville	28-19-40	Mar. 18, 1974	do	Oct. 1, 1974.
Bayer Construction Co., rock crusher No. 1.	Manhattan	28-19-20	Aug. 15, 1974	do	Sept. 1, 1974.
Certain-Teed Products Corp.:					
K-0 precipitator	Kansas City	28-19-50	Aug. 26, 1974	do	Dec. 31, 1974.
K-8 forming	do	28-19-20	Mar. 18, 1974	do	July 31, 1975.
K-0 furnace	do	28-19-20	Oct. 4, 1973	do	Dec. 1, 1974.
K-1, K-5, K-6, K-7 furnaces	do	28-19-20	May 13, 1974	do	July 31, 1975.
K-6 forming	do	28-19-20	do	do	Do.
K-1 coring	do	28-19-20	do	do	Do.
K-2 coring	do	28-19-20	do	do	Do.
Collingwood Grain, Inc., elevator headhouse.	Hutchinson	28-19-50	Aug. 15, 1974	do	Mar. 15, 1975.
Collingwood Grain, Inc., beet elevator headhouse.	Copeland	28-19-50	Feb. 14, 1974	do	Mar. 1, 1974.
Garvey Elevators, Inc.:					
Grain cleaner	Wichita	28-19-20	June 19, 1974	do	Oct. 1, 1974.
Conveying system	do	28-19-20	do	do	Do.
County Hospital No. 5, incinerator.	Harper	28-19-41B	July 9, 1974	do	Sept. 1, 1974.
Jayhawker Towers Apartments, incinerator.	Lawrence	28-19-41	Sept. 5, 1974	do	Nov. 1, 1974.
Service Iron Foundry, Inc., cupola.	Wichita	28-19-20 28-19-50	Aug. 15, 1974	do	Mar. 1, 1975.
Sylvia Cooperative Association, grain cleaner.	Sylvia	28-19-20	Aug. 26, 1974	do	Nov. 1, 1974.
American Walnut Co., teepee incinerator.	Kansas City	28-19-41B	Jan. 24, 1975	do	June 1, 1975.
Heckert Construction Co., rotary dryer.	Pittsburg	28-19-50A	do	do	Do.
McPherson County Highway Department, asphalt plant.	McPherson	28-19-50 28-19-20	do	do	Jan. 1, 1975.
National Alfalfa Dehydrating & Milling, pellet mill lift cyclone.	LeRoy	28-19-50A	do	do	Apr. 15, 1975.
Service Iron Foundry, cupola	Wichita	28-19-20 28-19-50	do	do	June 1, 1975.
Colt Industries, cupola	Kansas City	28-19-20 28-19-50	do	do	Feb. 15, 1975.
Coss Alfalfa Products, Hammermill.	Lewis	28-19-50A	do	do	July 1, 1975.
Kiowa District Hospital, incinerator.	Kiowa	28-19-40 28-19-41	do	do	Do.
Kansas State University Health Center, incinerator.	Manhattan	28-19-40	do	do	Mar. 15, 1975.
Minneola District Hospital, incinerator.	Minneola	28-19-40 28-19-41	do	do	July 31, 1975.
North Central Foundry, Inc., gray iron foundry cupola.	Enterprise	28-19-20	do	do	July 1, 1975.
S & F. Sales, inc. open burning	Bonner Springs	28-19-45	do	do	July 31, 1975.
Halton Foundry, Inc., cupola	Iola	28-19-20	do	do	July 1, 1975.
U.S.D. No. 247, Cherokee grade school incinerator.	Cherokee	28-19-40	do	do	July 31, 1975.
McCune school incinerator		28-19-40	June 24, 1975	do	Do.
Southeast high incinerator		28-19-40	do	do	Do.
West mineral grade incinerator		28-19-40	do	do	Do.
Weir attendance center incinerator.		28-19-40	do	do	Do.
Gove County Hospital, incinerator.	Quinter	28-19-40	Mar. 28, 1975	do	Do.
Gulf Oil Chemicals Co., No. 17, 18 and 19, NH_4NO_3 neutralizers.	Pittsburg	28-19-20, 28-19-50.	do	do	Do.
Highland Community Junior College, incinerators No. 1 and 2.	Highland	28-19-40C, 28-19-41A.	do	do	July 1, 1975.
S-G Metals Industries, Inc., aluminum furnaces 1-7.	Kansas City	28-19-20, 28-19-50.	do	do	June 1, 1975.
Midwest Solvents Co., animal feed production.	Atchison	28-19-20	do	do	July 1, 1975.

KANSAS—Continued

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Certain-Teed Products Corp., KO furnace.	Kansas City	28-19-20	do	do	Apr. 1, 1975.
Koppel, Inc., leg cyclone dust collector.	Salina	28-19-50	do	do	June 1, 1975.
Harry M. Liggett, alfalfa dehydrator.	Concordia	28-19-20	do	do	July 1, 1975.
Deitz-Hill Development: Primary secondary crusher.	Olathe	28-19-20	May 23, 1975	do	July 31, 1975.
Jay-Tee Construction Co.: Rock crusher.	Ottawa	28-19-20	do	do	Do.
Northern Natural Gas: Gas processing facility.	Holcomb	28-19-45	do	do	Do.
U.S.D. No. 387: Altoona Elementary incinerator.	Buffalo	28-19-40	do	do	Do.
Cross Alfalfa Products: Hammermill.	Lewis	28-19-50A	do	do	Do.
Farmer's Union Cooperative Association: Hammermill.	Clay Center	28-19-50A	do	do	June 15, 1975.
Hi-Plains Cooperative Association: Grain elevator.	Colby	28-19-50A	do	do	June 1, 1975.

(2) The compliance schedules identified below are disapproved as not meeting the requirements of § 51.102 or Subpart N of this chapter. All regulations cited are air pollution control regulations of the state, unless otherwise noted.

KANSAS

Source	Location	Regulation involved	Date adopted
Chanute Manufacturing Co., Inc.: sand blasting	Chanute	28-19-50	Dec. 14, 1973.
Kansas City Power & Light, coal transfer houses	LaCygne	28-19-50	Nov. 22, 1974.
Pence Food Center, incinerator	Chanute	28-19-40	Do.
Rodney Milling Co.:			
"A" house gallery and tunnel system	Topeka	28-19-50	Do.
"B" & "C" house gallery	do	28-19-50	Do.
Western Alfalfa Corp., alfalfa dehydrator	Deerfield	28-19-20	Do.
Do	Tice	28-19-20	Do.
Pence Food Center, incinerator	Humboldt	28-19-40	Do.
Sherwin-Williams Chemicals, Ozark P.M. Mill	Coffeyville	28-19-50B	Oct. 8, 1974.
Continental Grain Co., rail car loading	Hutchinson	28-19-50	Aug. 15, 1974.
Far-Mar-Co, Inc., headhouse cyclones	Topeka	28-19-50	Sept. 5, 1974.
Do	Hutchinson	28-19-50	Aug. 15, 1974.
Western Iron & Foundry, cupola	Wichita	28-19-20A, 28-19-50A.	Oct. 4, 1974.
Kansas Army Ammunition Plant, open burning	Parsons	28-19-45	Jan. 24, 1975.
Reid Grain, headhouse	Goodland	28-19-50	Do.
Sherwin-Williams Chemicals, black ash kiln	Coffeyville	28-19-50A	Do.
Cooperative Farm Chemicals, No. 1 NH_4NO_3 99-percent evaporator and prilling tower.	Lawrence	28-19-20	Mar. 28, 1975.
Sherwin-Williams Chemical Co., oxide calciner exhaust	Coffeyville	28-19-50A	Do.
Kaw Dehydrating Co., alfalfa dehydrator	Lawrence	28-19-20	Do.
Empire Dist. Electric Co.: Boilers Nos. 7 and 8	Riverton	28-19-31C	May 23, 1975.
Gulf Oil Chemicals Co.: Coal-fired boiler	Pittsburg	28-19-31	Do.
Kansas City Power & Light: Main boiler	La Cygne	28-19-31B	Do.
Mid-America Dairymen: Spray dryers Nos. 1 and 2	Sabetha	28-19-20	Do.
Tower Metal Products: Reverberatory furnace C	Fort Scott	28-19-50A	Do.
U.S. Steel—Universal Atlas Cement	Independence		
Clay storage bin		28-19-50A	Do.
Stone storage bin		28-19-50A	Do.
Krupp Ball Mill No. 2		28-19-50A	Do.
Krupp Ball Mill No. 3		28-19-50A	Do.

[37 FR 19809, Sept. 22, 1972]

EDITORIAL NOTE: For Federal Register citations affecting § 52.876, see the List of CFR Sections Affected in the Finding Aid section of this volume.

52.877 [Reserved]

52.878 Review of new sources and modifications.

(a) The requirements of Subpart I of his chapter are not met because the tate failed to submit a plan for eview of new or modified indirect ources.

(b) Regulation for review of new or odified indirect sources. The provions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Kansas.

[39 FR 7281, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.879 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Kansas' plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	Lead
	Primary	Secondary	Primary	Secondary				
etropolitan Kansas City Interstate	a	a	c	c	c	5/31/77	e	c
uth Central Kansas Interstate	a	a	c	c	c	e	a	c
rtheast Kansas Intrastate	a	a	c	c	c	c	e	c
utheast Kansas Intrastate	c	c	c	c	c	c	c	c
rth Central Kansas Intrastate	a	a	c	c	c	c	c	c
rthwest Kansas Intrastate	a	a	c	c	c	c	c	c
uthwest Kansas Intrastate	a	a	c	c	c	c	c	c

NOTE: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR Part 52 (1980) § 52.879.

a. July 1975.
b. Five years from plan approval or promulgation.
c. Air quality levels presently below secondary standards.
d. Transportation and/or land use control strategy to be submitted no later than April 15, 1973.
e. December 31, 1982.
f. Secondary standard attainment date to be determined by secondary attainment plan.

[37 FR 10867, May 31, 1972, as amended at 37 FR 19808, Sept. 22, 1972; 38 FR 7326, Mar. 20, 1973; 38 FR 12702, May 14, 1973; 38 FR 17682, July 2, 1973; 46 FR 20171, Apr. 3, 1981; 46 FR 51743, Oct. 22, 1981; 46 FR 61118, Dec. 15, 1981]

52.880 Requests for 18-month extensions.

(a) On October 22, 1979 the Kansas Department of Health and Environment submitted a request that the State be granted an extension until July 1, 1980 for the submission of a State implementation plan to satisfy the requirements for secondary particulate nonattainment in Topeka; this extension is approved by the Administrator.

[45 FR 79809, Dec. 2, 1980]

§§ 52.881—52.882 [Reserved]

§ 52.883 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met since the state did not provide adequate justification that certain areas did not have the potential for violation of an air quality standard within ten years.

(b) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within ten years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delineated.

(1) Kansas City Interstate Air Quality Maintenance Area (Kansas Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Johnson County, Wyandotte County.

[40 FR 41950, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.884 Significant deterioration of air quality.

(a) The requirements of section 160 through 165 of the Clean Air Act, as amended are met; except that:

(1) EPA retains PSD permit authority for Indian lands in the State of Kansas;

(2) Stationary source owners or operators seeking permits using innovative control technology in lieu of best available control technology (BACT) must obtain PSD permits from EPA; and

(3) Owners or operators of marine terminals seeking to obtain PSD permits to build new or modify existing loading or unloading facilities in the State of Kansas must obtain such permits from EPA.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(h) *Stack heights* are incorporated and made part of the applicable state plan for the State of Kansas for all permitting activities. The provisions of § 52.21 (b) through (w) are incorporated and made part of the applicable state plan for the State of Kansas for purposes of EPA permitting.

[49 FR 48186, Dec. 11, 1984]

Subpart S—Kentucky

§ 52.920 Identification of plan.

(a) Title of plan: "Implementation Plan for the Attainment and Maintenance of the National and State Ambient Air Quality Standards."

(b) The plan was officially submitted on February 8, 1972, and was resubmitted on December 5, 1973.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Clarifying comments on the plan submitted on March 6, 1972, by the Kentucky Air Pollution Control Office.

(2) Chapters IV and V, Control Strategies, and Chapter VII, Emission Control Regulations, submitted on March 17, 1972, by the Kentucky Air Pollution Control Office.

(3) Summary letter of Kentucky Air Pollution Control Commission and Regional Office meeting with attachments submitted May 3, 1972, by the Kentucky Air Pollution Control Office.

(4) Letter requesting delegation of authority and offering justification for a two-year extension for attainment of the sulfur dioxide primary standard submitted on June 7, 1972, by the Governor.

(5) Indirect source Regulation AP-11 and compliance schedules submitted on December 5, 1973, by the Governor.

(6) Compliance schedules submitted on February 15, 1974, by the Kentucky Department for Natural Resources and Environmental Protection.

(7) Compliance schedules submitted on April 23, 1974, by the Kentucky Department for Natural Resources and Environmental Protection.

(8) Clarifying comments submitted on May 21, 1974, by the Kentucky Department for Natural Resources and Environmental Protection.

(9) AQMA material submitted on January 6, 1975, by the Kentucky Department for Natural Resources and Environmental Protection.

(10) Revised body of air pollution control regulations and revised control strategies submitted respectively on August 29 and September 16, 1975, by the Kentucky Department for Natural Resources and Environmental Protection.

(11) Letters requesting delegation of Federal authority for the administrative and technical portions of the Prevention of Significant Deterioration program were submitted on May 5 and June 13, 1976 by the Secretary of the Department for Natural Resources and Environmental protection.

(12) 1979 revisions for Part D requirements for ozone nonattainment

areas, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(13) 1979 revisions for Part D requirements for sulfur dioxide nonattainment areas (Boyd, Jefferson, McCracken, Muhlenberg, and Webster Counties), submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(14) 1979 revisions for Part D requirements for total suspended particulate nonattainment areas (Bell, Boyd, Jefferson, McCracken and Muhlenberg counties, that portion of Bullit County in Shepherdsville, that portion of Campbell County in Newport, that portion of Daviess County in Owensboro, those portions of Henderson County in and around Henderson, that portion of Lawrence County in Louisa, that portion of Madison County in Richmond, that portion of Perry County in Hazard, that portion of Pike County in Pikeville, and that portion of Whitley County in Corbin) submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(15) Revision to the State Implementation Plan for a bubble action at the Kentucky Utilities—Green River Station was submitted on December 1, 1980.

(16) Corrections in 1979 ozone revisions required by conditional approval of January 25, 1980, submitted on May 18, 1980 (letter on oil-water effluent separators), September 22, 1980 (Jefferson County I/M ordinance and schedule), November 19, 1980 (Jefferson County transportation related commitments), and on January 8, 1981 (changes in Jefferson County I/M schedule), by the Kentucky Department for Natural Resources and Environmental Protection.

(17) 1979 Revisions for Part D requirements for the Jefferson County carbon monoxide nonattainment area, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection. Additional materials to correct the deficiencies noted in the November 15, 1979 proposed conditional approval were submitted as SIP revisions on September 22, 1980, November 19, 1980, and January 8, 1981, as noted in the preceding paragraph.

(18) Air quality surveillance plan submitted on November 15, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(19) Revision to the State Implementation Plan for a bubble action at Corning Glassworks, Danville, Kentucky was submitted on May 18, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(20) Revision to the State Implementation Plan for a bubble action at National Distillers Company's Old Crow Plant in Woodford County, submitted on December 24, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(21) Boone County Inspection/Maintenance ordinance and transportation control measures for Boone, Campbell, and Kenton Counties, submitted on November 19, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(22) Set II VOC regulations, submitted on February 5, 1981, and September 24, 1982, by the Kentucky Department for Environmental Protection.

(23) Implementation plan for lead, submitted on May 7, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(24) Provision for permit and exemption fees, submitted on June 10, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(25) Provisions for public notifications and participation pursuant to section 127(a) of the Clean Air Act, submitted on April 8, 1980, by the Kentucky Department for Natural Resources and Environmental Protection.

(26) Revision to the State Implementation Plan for a bubble action at General Electric, Louisville, Kentucky, submitted on August 7, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(27) Revised Boone County Inspection/Maintenance schedule submitted on October 9, 1981 by the Kentucky Department for Natural Resources and Environmental Protection.

(28) Addition to Appendix N of Jefferson County Regulation 6.28, Standard of Performance for Existing Hot Air Aluminium Atomization Processes, submitted on May 18, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(29) Revision of Appendix N, Jefferson County Regulation 6.35, Standard of Performance for Existing Fabric, Vinyl and Paper Surface Coating Operations, submitted on November 17, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(30) Jefferson County Set II VOC regulations for new/existing affected facilities, submitted on October 20, 1981, by the Kentucky Department for Natural Resources and Environmental Protection.

(31) Miscellaneous non-Part D revisions, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(32) Revision to the State Implementation Plan for a bubble action at Borden Chemical Co., Jefferson County, Kentucky, received by EPA from the Kentucky Department for Natural Resources and Environmental Protection on March 5, 1982.

(33) Addition of Kentucky Regulation 401 KAR 61:165, section 5, Particulate Standard for Existing Primary Aluminum Reduction Plants, submitted on March 4, 1982, by the Kentucky Department for Natural Resources and Environmental Protection.

(34) [Reserved]

(35) Corrections in 1979 Part D revisions for sulfur dioxide nonattainment area (Boyd County), submitted on September 24, 1982, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(36) Variance for seven perchloroethylene dry cleaners, submitted on August 4, 1982, by the Kentucky Department for Environmental Protection.

(37) Variances for two dry cleaners, submitted on January 27, 1983, by the Kentucky Department for Environmental Protection.

(38) Revised SO_2 limit for large coal-fired boilers in Pulaski County, submitted on June 29, 1979, by the Kentucky Department for Natural Resources and Environmental Protection.

(39)—(40) [Reserved]

(41) Revisions to Appendix N, submitted July 19, 1982 and March 21, 1983, by the Kentucky Department for Environmental Protection.

(42) Regulation 401 KAR 61:070, Existing Ferroally Production Facilities, for the Marshall County Part D TSP area, submitted on June 29, 1979, by the Kentucky Department for Environmental Protection.

(43) 1982 revisions to the Part D plan for the Jefferson County ozone and carbon monoxide nonattainment area, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on February 9, June 15, September 12, November 21, and December 9, 1983.

(44) Variances for two dry cleaners, Jiffy The Cleaners and Hiland Cleaners, submitted on April 25, 1984, by the Kentucky Natural Resources Environmental Protection Cabinet.

(45) Corrections in the Part D TSP SIP and other revisions submitted on December 9, 1982, and May 1, 1984, by the Kentucky Department for Environmental Protection.

(i) Incorporation by reference.

(A) Revisions in regulations 401 KAR—

50:010, Definitions and Abbreviations;

50:055, General Compliance Requirements;

61:005, General Provisions;

61:015, Existing Indirect Heat Exchangers;

61:075, Steel Plants and Foundries Using Existing Electric Arc Furnaces;

61:080, Steel Plants Using Existing Basic Oxygen Process Furnaces;

61:140, Existing By-Product Coke Manufacturing Plants; and

61:170, Existing Blast Furnace Casthouses.

The changes in these regulations were effective September 22, 1982 (50:055), December 1, 1982 (50:010, 61:005, 61:015, 61:075, and 61:140), and April 1, 1984 (61:080 and 61:170). No action is taken on the definition of "volatile organic compounds" in 401 KAR 50:010.

(ii) Other material—none.

(46) [Reserved]

(47) Stack height regulations were submitted to EPA on July 15, 1986, by

the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Regulation 401 KAR 50:042, which became effective on June 10, 1986.

(ii) Other material—none.

(48) Revisions to the I/M portions of the carbon monoxide and ozone Part D plans for Jefferson County, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on February 18, 1986.

(i) Incorporation by reference.

(A) A revised Regulation 8, Vehicle Exhaust Testing Requirements of the rules of the Air Pollution Control District of Jefferson County which was adopted on September 18, 1985.

(ii) Other materials—none.

(49) [Reserved]

(50) A revision in Kentucky regulation 401 KAR 61:140, Existing by-product coke manufacturing plants, submitted on September 19, 1986, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) A revision to Division of Air Pollution regulation 401 Kentucky Administrative Regulations (KAR) 61:140, Existing by-product coke manufacturing plants, which became effective on September 4, 1986.

(B) Letter of September 19, 1986 from the Commonwealth of Kentucky to EPA.

(51) Revisions to the I/M portions of the carbon monoxide and ozone Part D plans for Jefferson County, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on March 20, 1987.

(i) Incorporation by reference.

(A) A revised Regulation 8, Vehicle Exhaust Testing Requirements; of the rules of the Air Pollution Control District of Jefferson County which was adopted on December 17, 1986.

(B) March 2, 1987 letter to EPA from Jefferson County.

(ii) Additional materials—none.

(52) [Reserved]

(53) Revisions to Kentucky regulation 401 KAR 50:015, Documents incorporated by reference, submitted by the Kentucky Natural Resources and Environmental Protection Cabinet on March 23, 1987.

(i) Incorporation by reference.

(A) Revisions to Kentucky regulation 401 KAR 50:015, Documents incorporated by reference which became State-effective on February 10, 1987.

(B) Letter of March 23, 1987, from the Kentucky Natural Resources and Environmental Protection Cabinet transmitting the foregoing revisions.

(ii) Additional material—none.

(54) [Reserved]

(55) Revisions to Jefferson County, Kentucky Regulation 2.08, Permit Fees and Renewal, submitted on March 20, 1987, by the Kentucky Natural Resources and Environmental Protection Cabinet.

(i) Incorporation by reference.

(A) Revisions to Jefferson County, Kentucky Regulation 2.08, Permit Fees and Renewal, which became State-effective on December 17, 1986.

(B) Letter of March 20, 1987, from the Kentucky Natural Resources and Environmental Protection Cabinet.

(ii) Other material—none.

[37 FR 10868, Mar. 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.920, see the List of CFR Sections Affected in the Finding Aids section of this volume.

EFFECTIVE DATE NOTE: At 53 FR 23238, June 21, 1988, paragraph (c)(55) was added to § 52.920, effective July 21, 1988.

§ 52.921 Classification of regions.

The Kentucky plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Appalachian Intrastate	II	III	III	III	III
Bluegrass Intrastate	II	III	III	III	III

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Pho chem oxid (hyd carbo
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	I	II	III	III	
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate	I	III	III	III	
Louisville Interstate	I	I	III	III	
Metropolitan Cincinnati Interstate	I	II	III	III	
North Central Kentucky Intrastate	II	III	III	III	
Paducah (Kentucky)-Cairo (Illinois) Interstate	I	II	III	III	
South Central Kentucky Intrastate	III	III	III	III	

[37 FR 10868, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

§ 52.922 Extensions.

(a) The Administrator hereby extends for two years the attainment date for the primary standards for sulfur oxides in the Kentucky portion of the Louisville Interstate Region.

(b) The Administrator hereby extends until December 31, 1987, the attainment date for the national standards for ozone in Jefferson County.

(c) The Administrator hereby extends until December 31, 1987, the attainment date for the national standards for ozone in Boone, Campbell, and Kenton Counties.

(d) The Administrator hereby extends until December 31, 1987, the attainment date for the national standards for carbon monoxide in Jefferson County.

(e) The Administrator hereby extends for 18 months (until July 1, 1980), the statutory timetable for submittal of plans to attain the secondary standard for particulate matter in Boyd, Daviess, Henderson, and Jefferson Counties.

[45 FR 6102, Jan. 25, 1980, as amended at 46 FR 40187, Aug. 7, 1981]

§ 52.923 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Kentucky's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone porti of the SIP depends on the adopti and submittal of RACT requiremen by July 1, 1980 for the sources cover by CTGs issued between January 19 and January 1979 and adoption a submittal by each subsequent Janu of additional RACT requirements f sources covered by CTGs issued by t previous January.

(b) New Source review perm issued pursuant to Section 173 of t Clean Air Act will not be deemed va by EPA unless the provisions of S tion V of Appendix S of 40 CFR P 51 are met.

[45 FR 72157, Oct. 31, 1980]

§ 52.924 Legal authority.

(a) The requirements of § 51.230 of this chapter are not met sin K.R.S. 224.380 of the Air Polluti Control Law of the Commonwealth Kentucky (June 18, 1970) does n provide for the release, under cert circumstances, of emission data to t public.

(b) Delegation of Authority: Pur ant to section 114 of the Act, K tucky requested a delegation of a thority to enable it to collect, cor late, and release emission data to t public. The Administrator has det mined that Kentucky is qualified receive a delegation of the authority requested. Accordingly, the Admin trator delegates to Kentucky his a thority under section 114(a) (1) a (2) and section 114(c) of the Act, l authority to collect, correlate, and lease emission data to the public.

[37 FR 10868, May 31, 1972, as amended at 37 FR 15084, July 27, 1972; 51 FR 40676, Nov. 7, 1986]

§ 52.925 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.926 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Kentucky's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Appalachian Intrastate:							
a. Bell County	g	h	b	b	b	b	b
b. Perry County	g	h	b	b	b	b	b
c. Whitley County	g	h	b	b	b	b	b
d. Rest of AQCR	c	*c*	b	b	b	b	b
Bluegrass Intrastate:							
a. Fayette County	a	*c*	b	b	b	b	*g*
b. Madison County	g	h	b	b	b	b	b
c. Rest of AQCR	a	*c*	b	b	b	b	b
Evansville (Indiana)-Ownsboro-Henderson (Kentucky) Interstate:							
a. Daviess County	g	i	g	g	b	b	b
b. Henderson County	g	i	a	e	b	b	*g*
c. Webster County	c	*c*	g	g	b	b	b
d. Rest of AQCR	c	*c*	a	e	b	b	b
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate:							
a. Boyd County	g	i	g	b	b	b	*g*
b. Lawrence County	g	h	b	b	b	b	b
c. Rest of AQCR	c	*c*	b	b	b	b	b
Louisville Interstate	g	i	j	j	b	h	h
Metropolitan Cincinnati Interstate:							
a. Boone County	c	*c*	a	d	b	*d*	h
b. Campbell County	g	h	a	d	b	*d*	h
c. Kenton County	c	*c*	a	d	b	*d*	h
d. Rest of AQCR	c	*c*	a	*d*	b	*d*	c
North Central Kentucky Intrastate:							
a. Bullitt County	g	h	b	b	b	b	b
b. Rest of AQCR	a	*c*	b	b	b	b	b
Paducah (Kentucky) Cairo (Illinois) Interstate:							
a. McCracken County	g	h	g	f	b	b	b
b. Marshall County	c	g	a	f	b	b	b
c. Muhlenberg County	g	h	g	g	b	b	b
d. Rest of AQCR	c	*c*	a	f	b	b	b
South Central Kentucky Intrastate	b	b	b	b	b	b	b

See § 81.318 of this chapter to identify the specific nonattainment area.

NOTE: Dates or footnotes in italics are prescribed by the Administrator because the plan did not provide a specific date or the dates provided were not acceptable. Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.926 (1979 edition).

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. April 1975.
d. July 1975.
e. July 1977.
f. July 1978.
g. December 31, 1982.
h. December 31, 1987.
i. 18 month extension for plan submittal granted: attainment date not yet established.
j. January 1, 1985.

[45 FR 85002, Dec. 24, 1980]

§ 52.927 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) Federal compliance schedules.

(1) Except as provided in paragraph (b)(5) of this section, the owner or operator of any fuel-burning facility subject to the requirements of the Kentucky Air Pollution Control Regulations as they apply to sulfur dioxide sources, shall notify the Regional Administrator, by no later than November 3, 1975, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet these requirements.

(2) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize low-sulfur fuel shall be subject to the following compliance schedule:

(i) December 1, 1975—Submit to the Regional Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on July 1, 1977, and for at least one year thereafter, as well as a statement as to whether boiler modifications will be required. If so, final plans for such modifications must be submitted simultaneously.

(ii) December 31, 1975—Sign contracts with fuel suppliers for projected fuel requirements as projected above.

(iii) December 31, 1975—Let contracts for necessary boiler modifications, if applicable.

(iv) January 30, 1976—Initiate onsite modifications, if applicable.

(v) May 1, 1977—Complete onsite modifications, if applicable.

(vi) July 1, 1977—Achieve compliance with the applicable regulations, and certify such compliance to the Regional Administrator.

(3) Any owner or operator subject to paragraph (b)(1) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) December 1, 1975—Submit to the Regional Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) December 31, 1975—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modifications.

(iii) January 30, 1976—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1977—Complete onsite construction or installation or emission control equipment or process modification.

(v) July 1, 1977—Complete shakedown operations and performance tests for the applicable unit(s); achieve compliance with Kentucky Division of Air Pollution Regulation for sulfur dioxide sources and certify such compliance to the Regional Administrator. Ten days prior to any performance testing, notice must be given to the Regional Administrator to afford him the opportunity to have an observer present.

(4) Five days after the deadline for completing increments in paragraphs (b)(2)(ii) through (b)(2)(v) and (b)(3)(ii) through (b)(3)(iv) of this section, certify to the Regional Administrator whether the increment has been met.

(5) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations. The owner or operator of any fuel-burning facility with an aggregate heat input of more than 250 million BTU per hour which is presently in compliance, shall certify such compliance to the Regional Administrator by November 3, 1975. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the re-irements of this paragraph for the ffected source.

(iii) Any owner or operator subject o a compliance schedule in this paragraph may submit to the Regional Administrator no later than December 1, 975, a proposed alternative compliance schedule. No such compliance chedule may provide for final compliance after the final compliance date in he applicable compliance schedule of his paragraph. If approved by the Administrator, such schedule shall satisfy the requirements of this paragraph or the affected source.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, except in the case of Jefferson County schedules, for which the regulations cited are those of the local air pollution control agency.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
JEFFERSON COUNTY [1] [SEE FOOTNOTES AT END OF TABLE]				
wn & Williamson Tobacco Corp.: Tobacco manufacturing equipment.	3.2.1	Feb. 6, 1973	Immediately	July 25, 1973.
nese Coating Co., Jones Dabney Division: Paint manufacturing equipment.	5.0	do	do	Apr. 19, 1975.
	5.5	do	do	Do.
I. Dupont de Nemours & Co.: Boilers and processes.	3.1.1	do	do	Apr. 1, 1975.
	3.1.3	do	do	Do.
	4.0.1,3.2	do	do	Do.
	5.0,5.5	do	do	Do.
d Motor Co., Louisville Assembly Plant:				Apr. 19, 1975.
Coal-fired boilers	3.1,3.1.3	do	do	Do.
Paint spray booths	4.0,5.5.2	do	do	Do.
Paint bake ovens	5.5.1	do	do	
eral Electric Co.:				Aug. 31, 1974.
Coal-fired boilers	3.1, 3.1.3	do	do	Do.
Zinc melting furnace	3.0,3.2	do	do	Do.
Incinerator	4.0,5.5	do	do	
F. Goodrich Chemical Co.:				Apr. 19, 1975.
Coal-fired boilers	3.1	do	do	Do.
Process operations	4.0	do	do	Do.
	3.2	do	do	Do.
	5.0	do	do	Mar. 15, 1975.
isville Refinery, Ashland Oil, Inc.; Hydrocarbon storage and refining.	5.0, 5.1	do	do	Do.
	5.2, 5.3	do	do	Do.
	5.4, 5.5	do	do	Jan. 15, 1974.
ston Purina soybean plant: grain handling	3.2	do	do	Apr. 19, 1975.
m and Hass Kentucky, Inc.: Coal-fired boilers	3.1	do	do	Do.
	4.0	do	do	Do.
	3.2	do	do	Nov. 30, 1974.
	5.0	do	do	
ndard Oil Co.: Storage and loading of hydrocarbons.	5.1.1	do	do	Apr. 10, 1975.
n Oil Co.: Gasoline storage loading rack	5.0.1	do	do	Do.
ry Vogt Machine Co. boiler plant: Coal fired boilers.	3.1	Mar. 12, 1974	do	Sept. 17, 1974.
	4.0	do	do	Do.
aconda Aluminum Co., Roberds Lane plant, Aluminum container manufacturing.	3.2	Feb. 12, 1973	do	Jan. 31, 1974.
	5.5	do	do	Do.
aconda Aluminum Co., 1430 South 13th St.: Aluminum foil rolling.	5.5	do	do	Apr. 19, 1975.
aconda Aluminum Co., 1225 West Burnett St.: Aluminum foil coating.	5.0.1	do	do	Jan. 31, 1975.
antic Richfield Products: Gasoline storage tanks	5.1.1			
	3.0.1	do	do	Apr. 15, 1975.
ffice of the Mayor, City Hall, Louisville, Ky.: Incinerator.				
wcett Printing Corp.: Printing process	5.5.1	do	do	Apr. 19, 1975.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
	5.5.2	do	do	Do.
	5.5.3	do	do	Do.
Gulf Oil Co.: Gasoline storage	5.0	do	do	Do.
	5.1	do	do	Do.
Reliance Universal, Inc.: Paint manufacturing	3.2	do	do	Do.
	5.5	do	do	Do.
H. J. Scheirich Co.:				
Paint spray	5.5.2	do	do	Do.
Wood-fired boilers	3.1	do	do	Do.
Naval Ordinance Station:				
Metal pickling	3.2	do	do	Do.
Metal cleaning	5.5	do	do	Do.
Metal polishing				
Metal painting				
Wood Mosaic: Wood veneering	3.2	Mar. 12, 1973	do	Jan 1, 1975.
Blue Grass Cooperate: Woodworking	3.2.2	Mar. 14, 1973	do	Apr. 19, 1975.
Diamond-Kosmos, Cement Division: Portland cement.	3.2.1.1	Mar. 14, 1975	do	Do.
Gamble Brothers, Inc.: Woodworking	3.2.2	Mar. 14, 1973	do	July 16, 1973.
International Harvester:				
Induction furnace	3.2.2	do	do	Dec. 31, 1974.
Machine shop	3.2.2	do	do	Do.
Porter Paint Co.: Paint manufacturing	3.2.2	do	do	Mar. 30, 1975.
	5.5.2	do	do	Do.
Airco Carbide Division:				
Carbide furnace	3.2	May 9, 1973	do	Feb. 28, 1975.
Dry acetylene generator	3.3	do	do	Do.
Louisville Medical Center: Boiler plant	3.1	do	do	Dec. 1, 1974.
	4.0	do	do	Do.
Louisville and Nashville railroad repair shops	3.2	do	do	Apr. 1, 1975.
	3.3	do	do	Do
	5.5	do	do	Do
Central Hospital; Powerplant	3.1	June 20, 1973	do	Jan. 31, 1975.
	4.0	do	do	Do.
Hazelwood Hospital; Powerplant	3.1	do	do	Do.
	4.0	do	do	Do.
B. F. Goodrich Chemical Co.; Three coal-fired boilers.	3.1.1	July 11, 1975		
	3.1.3	do		
		do		Apr. 19, 1975.
		do		Do.
Brown-Forman Distillers Corp.; Boiler	3.1,5.5	Aug. 8, 1973	do	Do.
	4.0,7.0	do	do	Do.
Texaco, Inc.; Storage tanks	5.0.2	Mar. 12, 1973	do	Jan. 31, 1974.
ADAIR COUNTY				
Gibson Lumber Co.:				
Sawdust	AP-3	Aug. 7, 1973	Immediately	Oct. 17, 1973.
Haulroad	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.
Debarker	AP-3	do	do	Do.
City Supply Co.: Cement silo	AP-3	Oct. 1, 1973	do	May 30, 1974.
Morrison Lumber Co.:				
Sawdust blower	AP-3	Oct. 4, 1973	do	Jan. 1, 1974.
Workyard	AP-3	do	do	Sept. 18, 1973.
Barnes Milling Co.:				
Receiving area	AP-3	June 15, 1973	do	Apr. 1, 1974.
Cyclone separator and bulk loadout	AP-3	do	do	Do.
Day and Day feed mill: Cyclone dust collector	AP-3	June 13, 1973	do	Dec. 31, 1973.
M. & W. Milling Co.: Cyclone dust collector	AP-3	do	do	Oct. 30, 1973.
Neal Lumber Co.:				
Sawmill	AP-3	Sept. 28, 1973	do	Oct. 1, 1973.
Workyard	AP-3	do	do	Sept. 1, 1973.
ALLEN COUNTY				
Scottsville Ready Mix:				
Cement silo	AP-3	July 2, 1973	Immediately	Sept. 1, 1973.
Stone bin	AP-3	do	do	Aug. 6, 1973.
Batcher	AP-3	do	do	Do.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
ANDERSON COUNTY				
ustin, Nichols Distilling Co., Inc.:				
Drying of stillage	AP-3	June 15, 1973	Immediately	Dec. 31, 1974.
Grain mill	AP-3	do	do	Do.
Hoffman Distilling				
BALLARD COUNTY				
Sippi Product Co.:				
Kilns	AP-9	Oct. 26, 1973	Immediately	Jan. 15, 1975.
Mixer vent	AP-3	do	do	Jan. 15, 1974.
BARREN COUNTY				
Supreme Mills, Inc.:				
Pellet cooler	AP-3	Oct. 3, 1973	Immediately	April 1, 1974.
Grain cleaner	AP-3	do	do	Do.
Monroe Bros. Feed Mill: Cyclone exit	AP-3	July 10, 1973	do	Aug. 1, 1974.
BELL COUNTY				
Cumberland Gap Corp.:				
Debarker	AP-3	May 29, 1973	Immediately	Jan. 1, 1974.
Cyclone 3	AP-3		do	Do.
Do		do	Do	
Cyclone at railroad car	AP-3	do	do	Do.
Vibrator screen	AP-3	do	do	Do.
Haul roads	AP-3	do	do	May 1, 1974.
rthur Asher Co.:				
Burning of sawdust	AP-3	Sept. 28, 1973	do	Do.
Log and lumber yards	AP-3	do	do	Aug. 1, 1973.
Bell Concrete Industries:				
Storage bin	AP-3	July 2, 1973	do	Oct. 1, 1973.
Stock pile	AP-3	do	do	Do.
Batch hopper	AP-3	do	do	Do.
Truck loading	AP-3	do	do	Do.
Cement silo	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Apr. 6, 1973.
Tenn-Flake of Middlesboro:				
Boiler	AP-3	June 15, 1973	do	Nov. 15, 1974.
High press system	AP-3	do	do	Dec. 1, 1973.
Unloading station	AP-3	do	do	Jan. 15, 1973.
Cone and face dryers	AP-3	do	do	Apr. 1, 1974.
Yard area	AP-3	do	do	May 31, 1973.
Transfer tower enc	AP-3	do	do	Aug. 30, 1973.
Fuel bin cyclone	AP-3	do	do	Oct. 15, 1973.
BOONE COUNTY				
American Sign & Advertising Service, Inc.:				
Degreaser	AP-5	Sept. 28, 1973	Immediately	Apr. 1, 1974.
Paint booths	AP-5	do	do	June 1, 1974.
Bi-County Farm Bureau: Cyclone collector	AP-3	Oct. 3, 1973	do	Mar. 15, 1974.
BOURBON COUNTY				
Department of Health, Division of Tuberculosis, Control District 3 Tuberculosis hospital:				
Incinerator	AP-3	Aug. 6, 1973	Immediately	Sept. 1, 1974.
Coal-fired boilers	AP-3	do	do	Mar. 1, 1975.
BOYD COUNTY				
Heme Block & Building Supply Co., Inc.: Cement silo vent.	AP-3	Oct. 2, 1973	Immediately	Dec. 1, 1973.
Middles States Building Supplies Co.:				
Aggregate piles	AP-3	June 8, 1973	do	Aug. 1, 1973.
Batching plant	AP-3	do	do	Do.
Cement bin	AP-3	do	do	Do.

Source	Regulation involved	Date of adoption	Effective date	Final complianc date
BOYLE COUNTY				
Concrete Materials Corp. Re: Danville facility cement silo stack.	AP-3	Aug. 6, 1973	Immediately	Nov. 1, 1973.
Boyle Block Co.: Cement storage bin	AP-3	Oct. 1, 1973	do	Dec. 31, 1973.
Genesco, Inc.:				
Dye spray	AP-3	Oct. 4, 1973	do	Mar. 1, 1974.
Vinyl sawing	AP-3	do	do	Do.
Sole trimmer	AP-3	do	do	Do.
BREATHITT COUNTY				
Breathitt County Coal Corp.:				
Haul road	AP-3	Oct. 1, 1973	Immediately	Dec. 31, 1973.
Truck dump	AP-3	do	do	Do.
Crusher	AP-3	do	do	Do.
Stockpile	AP-3	do	do	Do.
Big Sandy Ready Mix Concrete, Inc.:				
Cement silo vent	AP-3	June 12, 1973	do	Do.
Cement weigh hopper	AP-3	do	do	Do.
Truck loading	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
BRECKINRIDGE COUNTY				
Community Milling Co.:				
Dump area	AP-3	June 12, 1973	Immediately	Jan. 15, 1974.
Cyclone exit	AP-3	do	do	Do.
BULLITT COUNTY				
M. E. Washington Ready-Mix Concrete:				
Cement silo	AP-3	Oct. 3, 1973	Immediately	May 3, 1974.
Truck loading hopper	AP-3	do	do	Do.
Cyclone Store: Cement silo vent	AP-3	June 15, 1973	do	May 20, 1973.
BUTLER COUNTY				
Morgantown feed mill: Grain dryer and cyclone exit	AP-3	July 25, 1973	Immediately	Oct. 30, 1973.
CALDWELL COUNTY				
Princeton Mills, Inc.:				
Unloading and loading points	AP-3	June 15, 1973	Immediately	May 1, 1973.
Hammermill and cyclone	AP-3	do	do	Aug. 9, 1973.
CALLOWAY COUNTY				
Fitts Block & Ready Mix. Co., Inc.:				
Cement silo vent	AP-3	June 15, 1973	Immediately	Dec. 30, 1973.
Batch discharge	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Aggregate handling	AP-3	do	do	Do.
CAMPBELL COUNTY				
Hall Concrete Products Inc.: Cement silo	AP-3	Oct. 4, 1973	Immediately	Apr. 1, 1974.
Kent Division of LCA Corp.: 01 and 02 baking ovens	AP-5	Sept. 28, 1973	do	Nov. 1, 1974.
Reliance Universal Inc.:				
Cement silo	AP-3	Oct. 23, 1973	do	Mar. 1, 1974.
Haul roads	AP-3	do	do	Dec. 31, 1973.
The Ceramic Coating Co.:				
Sign furnace	AP-3	Sept. 28, 1973	do	Dec. 1, 1974.
Large vellel furnace	AP-3	do	do	Do.
Scheper Woodwork, Inc.: Cyclone exhaust	AP-3	Oct. 19, 1973	do	June 1, 1974.
Big Sandy Ready-Mix Concrete, Inc.:				
Cement silo vent	AP-3	June 12, 1973	do	Dec. 31, 1973.
Cement weigh hopper	AP-3	do	do	Do.
Truck loading	AP-3	do	do	Do.
Haul roads	AP-3	June 13, 1973	do	Do.
Perry & Derrick Paint Co.: Scale house	AP-5	do	do	Aug. 1, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
CARTER COUNTY				
Grahn-Industrial Pallet: Sawdust blowpipe	AP-3	Sept. 28, 1973	Immediately	Jan. 30, 1973.
U.S. 60 Concrete:				
Aggregate piles	AP-3	June 13, 1973	do	Aug. 1, 1973.
Batching plant	AP-3	do	do	Do.
Cement bin	AP-3	do	do	Do.
CASEY COUNTY				
Casey County Farm Supply: Cyclone dust collector	AP-3	June 12, 1973	Immediately	Oct. 30, 1973.
CHRISTIAN COUNTY				
Dalton Bros. Brick: Scove kilns	AP-3	Sept. 8, 1973	Immediately	Aug. 1, 1974.
Kirkpatrick Concrete & Supply Co.:				
Weigh hopper	AP-3	Oct. 3, 1973	do	Dec. 30, 1973.
Cement silo	AP-3	do	do	Do.
Aggregate handling and stockpiles	AP-3	do	do	Do.
Thomas Industries: Koulene stripper	AP-3	Sept. 28, 1973	do	Oct. 1, 1974.
CLARK COUNTY				
Bundy Tubing, Division of Bundy Corp.: Incinerator	AP-3	Sept. 28, 1973	Immediately	Apr. 1, 1974.
Concrete Materials Corp., Winchester, Ky.: Cement silo stack.	AP-3	June 12, 1973	do	Nov. 1, 1973.
The Freeman Corp.:				
Teepee (veneer mill)	AP-3	June 15, 1973	do	July 1, 1973.
Chipper (veneer mill)	AP-3	do	do	July 31, 1973.
Teepee (sawmill)	AP-3	do	do	Aug. 15, 1974.
Road and yard	AP-3	do	do	May 15, 1973.
CLAY COUNTY				
London-Clay Ready-Mix Inc.:				
Cement silo	AP-3	June 13, 1973	Immediately	May 30, 1973.
Mixer truck	AP-3	do	do	Do.
Shamrock Coal Co.: Haul road	AP-3	June 15, 1973	do	May 31, 1973.
CRITTENDEN COUNTY				
Turner & Conyer Lumber Co., Inc.:				
Cyclone on chipper	AP-3	June 15, 1973	Immediately	Jan. 31, 1974.
Sawdust exhaust	AP-3	do	do	Do.
CUMBERLAND COUNTY				
Farmers Feed Mill: Cyclone dust collector	AP-3	June 12, 1973	Immediately	Sept. 30, 1973.
DAVIESS COUNTY				
Kentucky Concrete Pipe Co.:				
Cement bin	AP-3	Oct. 1, 1973	Immediately	Feb. 1, 1974.
Batcher	AP-3	do	do	Do.
Do	AP-3	do	do	Do.
Do	AP-3	do	do	Do.
Mixer	AP-3	do	do	Do.
Do	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Mixer	AP-3	do	do	Do.
Owensboro Precast Concrete:				
Dryer	AP-3	do	do	May 30, 1974.
Cement silo	AP-3	do	do	Do.
Anglo Sweet Feed Mills, Inc.:				
Cyclone exist	AP-3	June 28, 1973	do	Dec. 30, 1973.
Receiving pit	AP-3	do	do	Do.
Bulk loadout	AP-3	do	do	Do.
Can-Tex Industries, Division of Harsco Corp.:				
Exhaust dust from plant building	AP-3	June 29, 1973	do	Oct. 1, 1974.
Fugitive dust	AP-3	do	do	Jan. 1, 1974.
Exhaust from periodic kilns	AP-6	do	do	Oct. 1, 1974.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Green Coal Co.:				
Boilers	AP-3, 4	July 2, 1973	do	Oct. 1, 1973.
Dump hopper	AP-3	do	do	Do.
Preparation building	AP-3	do	do	Do.
Ben F. Medley & Co., Kentucky Distillers, Ltd.:				
Grain handling facility 3, 4, 5	AP-3	June 15, 1973	do	Jan. 31, 1974.
Coal-fired boiler	AP-3	do	do	Do.
Mullican Feed Mill, Inc.:				
Truck dump	AP-3	do	do	Feb. 30, 1974.
Cyclone dust collector	AP-3	do	do	Nov. 30, 1973.
Cyclone dust collector (seed cleaner)	AP-3	do	do	Do.
Overhead loadout bin	AP-3	do	do	Mar. 30, 1973.
Truck loadout, spout	AP-3	do	do	May 31, 1973.
Overhead loadout bin	AP-3	do	do	Do.
Bulk feed station, loadout spout	AP-3	do	do	Do.
ESTILL COUNTY				
Concrete Materials Corp.: Cement silo	AP-3	July 26, 1973	Immediately	Nov. 1, 1973.
FAYETTE COUNTY				
Featherlite Pre-Cast Corp.: Cement silo	AP-3	Oct. 5, 1973	Immediately	Dec. 1, 1973.
Kentucky Concrete Pipe Co.: Cement silo	AP-3	Oct. 1, 1973	do	Feb. 1, 1974.
Perry Lumber Co.: Cyclone emission from pellet manufacturing.	AP-3	Oct. 4, 1973	do	Aug. 4, 1974.
Southwestern Tobacco Co.:				
Powerplant	AP-3	do	do	Dec. 31, 1973.
Drying	AP-9	do	do	Oct. 1, 1974.
University of Kentucky:				
Incinerator	AP-3	June 12, 1973	do	Do.
Boilers Nos. 1 and 2	AP-3	do	do	Nov. 1, 1973.
FLOYD COUNTY				
Big Sandy Ready Mix Concrete, Inc.:				
Conveyor	AP-3	Sept. 28, 1973	Immediately	Mar. 30, 1974.
Cement silo	AP-3	do	do	Do.
Stock piles	AP-3	do	do	Do.
Big Sandy Ready Mix Concrete, Inc.:				
Cement silo vent	AP-3	June 12, 1973	do	Dec. 31, 1973.
Cement weigh hopper	AP-3	do	do	Do.
Truck loading	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Kentucky Hydrocarbon Co.: Incinerator	AP-3	Sept. 28, 1973	do	Oct. 1, 1973.
FRANKLIN COUNTY				
City of Frankfort municipal incinerator: Incinerator	AP-3	June 15, 1973	Immediately	Aug. 1, 1973.
Kentucky State University: Coal-fired boilers	AP-3	June 12, 1973	do	Sept. 1, 1974.
National Distillers Production Co.:				
Boilers	AP-3	June 15, 1973	do	Apr. 9, 1975.
Cyclone	AP-3	do	do	June 1, 1974.
Brands, Inc.: Boilers	AP-3	do	do	July 1, 1974.
FULTON COUNTY				
Lattus Ready Mix:				
Aggregate piles	AP-3	May 24, 1973	Immediately	Apr. 4, 1973.
Cement silo	AP-3	do	do	July 4, 1973.
Truck loading point	AP-3	do	do	Do.
GALLATIN COUNTY				
Gallatin County Farm Supply: Cyclone collector	AP-3	Oct. 1, 1973	Immediately	Jan. 1, 1974.
GRANT COUNTY				
Grant County Concrete Co., Inc.:				
Cement silo vent	AP-3	June 13, 1973	Immediately	Apr. 3, 1973.
Cement hopper	AP-3	do	do	Do.
Truck loadout	AP-3	do	do	June 3, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Do	AP-3	do	do	Do.
GRAVES COUNTY				
ntucky-Tennessee Clay Co.: Rotary dryer	AP-3	June 15, 1973	Immediately	June 1, 1973.
rmington Sweet Feed Mill: Hammermill and cyclone.	AP-3	June 12, 1973	do	Nov. 3, 1973.
odman & Sons Lumber Co.:				
Main saw and edger	AP-3	Oct. 1, 1973	do	July 1, 1974.
Blowpipe exhaust	AP-3	do	do	Do.
hodes Feed & Supply: Cyclone on hammermill	AP-3	June 15, 1973	do	Sept. 3, 1973.
ayfield Milling Co.:				
Air loader (boxcars)	AP-3	do	do	Oct. 1, 1973.
Belt loader	AP-3	do	do	Do.
Spout loaders	AP-3	do	do	Do.
Truck dump points	AP-3	do	do	Do.
Grain dryer	AP-3	do	do	Do.
yfield Sweet Feed Mill, Inc.:				
Cyclone on hammermill	AP-3	do	do	Dec. 1, 1973.
Dryer (grain)	AP-3	do	do	June 1, 1974.
GRAYSON COUNTY				
oppers Co., Inc.:				
Debarker	AP-3	Oct. 1, 1973	Immediately	Jan. 1, 1974.
Chipper	AP-3	do	do	Do.
itchfield Concrete Products, Inc.: Cement silo	AP-3	June 15, 1973	do	Nov. 15, 1973.
nnyville Roller Mill:				
Cyclone	AP-3	do	do	Jan. 15, 1974.
Unloading area	AP-3	do	do	Nov. 1, 1973.
Bulk loadout	AP-3	do	do	Do.
GREEN COUNTY				
een County Milling Co.: Cyclone dust collectors	AP-3	June 12, 1973	Immediately	Sept. 30, 1973
eensburg Manufacturing Co.:				
Boiler house cyclone, mfg. bldg. cyclone, truck loading cyclone.	AP-3	May 28, 1973	do	Jan. 31, 1975.
Boiler (wood)	AP-3	May 28, 1972	do	Do.
GREENUP COUNTY				
E. I. DuPont de Nemours & Co., Inc.: Sulfuric acid plant.	AP-3	June 15, 1973	Immediately	May 1, 1974.
ephard Lumber Co.:				
Sawdust blowpipe	AP-3	Oct. 22, 1973	do	Oct. 1, 1973.
Haul roads	AP-3	do	do	Do.
ussell Readi Mix Corp.:				
Aggregate piles	AP-3	June 8, 1973	do	Aug. 1, 1973.
Batching plant	AP-3	do	do	Do.
Cement bin	AP-3	do	do	Do.
hesapeake & Ohio Railway Co.: Boiler	AP-3	Aug. 1, 1973	do	Apr. 9, 1975.
HANCOCK COUNTY				
oung's Feed & Grain: Cyclone exit	AP-3	Sept. 28, 1973	Immediately	Dec. 30, 1974.
ational Southwire Aluminum Co.:				
Air control stack	AP-3	June 12, 1973	do	Dec. 1, 1974.
Carbon bake stack	AP-3	do	do	Apr. 1, 1975.
HARDIN COUNTY				
izabethtown Ready Mix Concrete Co.:				
Cement vent	AP-3	June 6, 1973	Immediately	May 3, 1974.
Cement silo vent	AP-3	do	do	Do.
Weigh hopper	AP-3	do	do	June 3, 1974.
Truck loading hopper	AP-3	do	do	Sept. 3, 1973.
Haul road	AP-3	June 3, 1973	do	June 3, 1973.
ow Corning Corp.: Sealant base mixing	AP-3	June 15, 1973	do	Jan. 1, 1974.
ecks Concrete Block Co., Inc.:				
Cement silo	AP-3	Oct. 26, 1973	do	May 15, 1974.
Haul roads	AP-3	do	do	Oct. 15, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Crucible Inc., Magnet Division:				
Powder iron mixing	AP-3	June 15, 1973	do	Aug. 15, 1973.
Vinyl chloride coating system	AP-3	do	do	May 15, 1973.
Mean and brake oven	AP-3	do	do	Do.
Tower oven	AP-3	do	do	Jan. 1, 1975.
HARRISON COUNTY				
Joseph E. Seagram & Sons, Inc.: Coal-fired boilers	AP-3	July 27, 1973	Immediately	Jan. 1, 1975.
HARLAN COUNTY				
Dixie Fuel Co.: Stockpile	AP-3	Oct. 2, 1973	Immediately	Dec. 1, 1973.
Grays Knob Coal Co.:				
Main stockpile	AP-3	dr	do	Do.
Haul roads	AP-3	do	do	Do.
Harlan Fuel Co.:				
Stockpile	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Gaines Lumber Co.:				
Wasteburner	AP-3	June 15, 1973	do	Oct. 1, 1973.
Haul roads	AP-3	do	do	Apr. 5, 1973.
Harlan Ready Mix Concrete Co.:				
Stockpile	AP-3	June 12, 1973	do	Do.
Weigh bin	AP-3	do	do	Do.
Loadout shoot	AP-3	do	do	Oct. 1, 1973.
Cement silo	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Apr. 5, 1973.
HART COUNTY				
Mundfordville Milling Co.: Cyclone exhaust	AP-3	June 15, 1973	Immediately	Jan. 1, 1974.
Square Deal Lumber Co.:				
Concrete batch	AP-3	June 12, 1973	do	June 15, 1973.
Haul roads	AP-3	do	do	Do.
Pascal Feed Co.: Cyclone dust collector	AP-3	June 13, 1973	do	Oct. 30, 1973.
Horse Cave Feed Mill:				
Cyclone exit	AP-3	July 2, 1973	do	Dec. 30, 1973.
Receiving pit	AP-3	do	do	Do.
Bulk loadout	AP-3	do	do	Do.
HENDERSON COUNTY				
The Osborn Manufacturing Co.:				
Boiler	AP-3	Aug. 10, 1973	Immediately	Feb. 28, 1975.
Spray booth	AP-3	do	do	Nov. 30, 1973.
Katterjohn, Inc.:				
Spray paint booth	AP-3	Oct. 26, 1973	do	Oct. 1, 1973.
Wood waste blow	AP-3	do	do	Aug. 1, 1974.
Pipe discharge	AP-3	do	do	Do.
James C. Ellis Grain Co.:				
Truck dumps	AP-3	June 21, 1973	do	Apr. 1, 1975.
Car load out	AP-3	do	do	Do.
Suction air cyclone	AP-3	do	do	Do.
Randolphs grain dryer, Hess grain dryer	AP-3	do	do	Do.
HOPKINS COUNTY				
Green River Clay Products: Gas-fired kiln	AP-3	June 12, 1973	Immediately	Oct. 1, 1974.
Zeigler Coal Co.:				
Coal crusher	AP-3	June 15, 1973	do	Feb. 1, 1974.
Belt transfer to stack	AP-3	do	do	Do.
Belt transfer to rail	AP-3	do	do	Do.
Yard area	AP-3	do	do	Dec. 31, 1973.
JACKSON COUNTY				
McWhorter Stave Co.:				
Headsaw	AP-3	Sept. 26, 1973	Immediately	Sept. 1, 1973.
Yard area	AP-3	do	do	July 18, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
JESSAMINE COUNTY				
ouse Concrete & Builders Supply:				
Cement silo vent	AP-3	Oct. 1, 1973	Immediately	Dec. 30, 1973.
Weigh hoppers	AP-3	do	do	Do.
Batch discharge	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Aggregate handling	AP-3	do	do	Do.
Stockpiles	AP-3	do	do	Do.
ings Mixed Concrete Co., Inc.:				
Cement silo vent	AP-3	June 8, 1973	do	May 15, 1973.
Rock dust	AP-3	do	do	July 15, 1973.
Aggregates	AP-3	do	do	Do.
JOHNSON COUNTY				
ams Construction Corp.: Asphalt plant	AP-3	June 15, 1973	Immediately	Dec. 30, 1973.
KENTON COUNTY				
he Safeguard Corp.: 03, 04, 05 kapok shredded foam systems.	AP-3	Oct. 1, 1973	Immediately	Dec. 1, 1974.
KNOX COUNTY				
y Fuel Co.:				
Coal dumping	AP-3	Oct. 1, 1973	Immediately	Jan. 1, 1974.
Coal crushing	AP-3	do	do	Do.
Coal conveyor	AP-3	do	do	Do.
Haul roads and coal storage	AP-3	do	do	Do.
ichland Coal Co.:				
Crushing and screening	AP-3	do	do	Feb. 1, 1974.
Coal loading	AP-3	do	do	Do.
atterson Lumber Co.:				
Debarker	AP-3	July 2, 1973	do	Oct. 1, 1973.
Chip screen	AP-3	do	do	Do.
Haul roads	AP-3	do	do	May 1, 1973.
LARUE COUNTY				
rue County Ready-Mix Inc.:				
Cement Silo Vent Weigh Hoppers	AP-3	June 12, 1973	Immediately	Dec. 30, 1973.
Batch discharge	AP-3	do	do	Do.
Haul Roads	AP-3	do	do	Do.
Aggregate handling	AP-3	do	do	Do.
LAUREL COUNTY				
ondon Clay Ready Mix, Inc.:				
Truck loading	AP-3	July 26, 1973	Immediately	May 15, 1973.
Cement silo	AP-3	do	do	July 15, 1973.
LAWRENCE COUNTY				
ntucky Power Co.:				
Boiler 1		June 15, 1973	Immediately	Dec. 31, 1973.
Boiler 2		do	do	June 30, 1973.
LEE COUNTY				
attyville Concrete Block Co., Inc.: Cement silo	AP-3	June 12, 1973	Immediately	Oct. 30, 1973.
LETCHER COUNTY				
th-Elkhorn Coal Corp.:				
Thermal dryer	AP-3	June 11, 1973	Immediately	Apr. 29, 1974.
Horizontal fire tube boiler	AP-3,4	do	do	Do.
en & Webb Lumber Co., Inc.:				
Teepee burner	AP-3	June 15, 1973	do	Sept. 1, 1973.
Debarking	AP-3	do	do	June 3, 1973.
Truck and railroad car loading	AP-3	do	do	Do.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Haul roads	AP-3	do	do	Apr. 3, 1973.
LEWIS COUNTY				
Moore & White Lumber Co., Inc.:				
Chipper	AP-3	June 15, 1973	Immediately	June 5, 1973.
Teepee burner	AP-3	do	do	Jan. 5, 1974.
Haul roads	AP-3	do	do	May 5, 1973.
LINCOLN COUNTY				
Standford Ready Mix: Cement silo vent	AP-3	June 8, 1973	Immediately	Apr. 30, 1973.
LOGAN COUNTY				
Rockwell Manufacturing Co.:				
Melting furnace stack	AP-3	June 12, 1973	Immediately	Apr. 15, 1974.
Incinerator	AP-3	do	do	Mar. 15, 1974.
Kentucky Mills, Inc.:				
Chipper	AP-3	June 15, 1973	do	Dec. 15, 1973.
Chipper at railroad car	AP-3	do	do	May 10, 1973.
Stockpile	AP-3	do	do	Dec. 15. 1973.
Sawdust blowpipe	AP-3	do	do	Do.
Lewisburg Roller Mills:				
Truck dump pit	AP-3	do	do	June 1, 1973.
Hammer mill cyclone	AP-3	do	do	Apr. 1, 1974.
MADISON COUNTY				
Builders Concrete Block Co., Inc.:				
Cement silo	AP-3	Oct. 1, 1973	Immediately	Dec. 31, 1973.
Receiving hopper	AP-3	do	do	Dec. 1, 1973.
Wyatt Supply Co.:				
Silo vent	AP-3	June 8, 1973	do	Aug. 15, 1973.
Truck loadout	AP-3	do	do	Do.
Weight batcher to mixer	AP-3	do	do	Do.
Westinghouse Electric Corp.: Scrap crushing	AP-3	June 12, 1973	do	July 1973.
Concrete Materials Corp.—Richmond facility: Cement silo stack.	AP-3	do	do	Nov. 1, 1973.
Concrete Materials Corp.—Berea facility:				
Cement silo stack	AP-3	do	do	Do.
Cement dump into trucks	AP-3	do	do	Apr. 15, 1973.
MAGOFFIN COUNTY				
Ivyton Coal Co., Inc.:				
Dump area	AP-3	Oct. 1, 1973	Immediately	Feb. 1, 1974.
Crusher	AP-3	do	do	Do.
Conveyor	AP-3	do	do	Do.
MARION COUNTY				
Bourbon Cooperage Co.:				
Boilers	AP-3	Sept. 26, 1973	Immediately	Dec. 1, 1974.
Collector	AP-3	do	do	Do.
Elizabethtown Ready Mix Concrete Co.:				
Cement silo vent	AP-3	June 12, 1973	do	May 3, 1974.
Cement weigh hopper	AP-3	do	do	June 3, 1974.
Truck loading hopper	AP-3	do	do	Aug. 3, 1973.
Haul road	AP-3	do	do	June 3, 1973.
MARSHALL COUNTY				
Long Concrete Co., Inc.: Cement silo vent	AP-3	June 6, 1973	Immediately	May 31, 1973.
Boiler (coal)	AP-3	July 26, 1973	do	Sept. 1, 1974.
G.A.F. Corp.:	AP-4	do	do	Apr. 1, 1978.
Methylamine process	AP-9	do	do	Dec. 31, 1974.
Birmingham Milling Co.: Cyclone	AP-3	June 12, 1973	do	Mar. 2, 1974.
Terry Smith Concrete Products:				
Cement silo	AP-3	Oct. 3, 1973	do	Jan. 1, 1974.
Batch mix	AP-3	do	do	Do.
Aggregate bins	AP-3	do	do	Do.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Haul roads	AP-3	do	do	Do.
F. Goodrich Chemical Co.:				
Process cleaning vents	AP-3	Oct. 9, 1973	do	Sept. 1, 1974.
Steam boiler	AP-4	do	do	June 15, 1976.
merican Aniline & Extract Co.:				
dium methacrylate recovery system	AP-3	Oct. 19, 1973	do	Sept. 30, 1973.
Do	AP-3	do	do	Apr. 30, 1974.
MCCRACKEN COUNTY				
pi Products Co.: Gas-fired kiln	AP-9	Oct. 26, 1973	Immediately	Oct. 15, 1974.
ung Block Co., Inc.:				
Weighing hopper	AP-3	Oct. 2, 1973	do	Jan. 1, 1974.
Conveyor dumping aggregate storage	AP-3	do	do	Do.
ntral States Veneers, Inc.:				
Yard and roads	AP-3	Sept. 28, 1973	do	Sept. 30, 1973.
Debarking	AP-3	do	do	Do.
Sawdust discharge	AP-3	do	do	July 1, 1974.
Chipper screen	AP-3	do	do	Sept. 30, 1973.
MCLEAN COUNTY				
een River Chair Co.:				
Boiler	AP-3	Aug. 6, 1973	Immediately	Nov. 16, 1974.
Woodworking facility	AP-3	do	do	Mar. 1, 1975.
Paint spray booths	AP-3	do	do	June 1, 1974.
MEADE COUNTY				
eade County Ready Mix Concrete:				
Truck loading point	AP-3	June 8, 1973	Immediately	May 1, 1973.
Cement silo	AP-3	do	do	Jan. 15, 1974.
Aggregates	AP-3	do	do	May 1, 1973.
he Flintkote Co., Division Diamond-Kosmos Cement:				
Rock drill	AP-3	Oct. 6, 1973	do	Mar. 9, 1973.
Crusher	AP-3	do	do	Sept. 9, 1974.
MERCER COUNTY				
errodsburg Ready Mix Concrete Co., Inc.:				
Cement silo vent	AP-3	June 8, 1973	Immediately	May 14, 1973.
Aggregate	AP-3	do	do	Do.
METCALFE COUNTY				
ickerson Lumber Co.:				
Cyclone on teepee	AP-3	June 15, 1973	Immediately	Nov. 30, 1973.
Teepee burner	AP-3	do	do	Do.
MONROE COUNTY				
raham Pallet Co.:				
Dust house	AP-3	Oct. 4, 1973	Immediately	Dec. 1, 1973.
Loading conveyor	AP-3	do	do	Aug. 16, 1973.
onroe Sweet Feed Mill:				
Cyclone exit	AP-3	June 15, 1973	do	Dec. 30, 1973.
Receiving pit	AP-3	do	do	Do.
Bulk loadout	AP-3	do	do	Do.
MORGAN COUNTY				
ells Ready Mix Concrete: Truck dump	AP-3	June 8, 1973	Immediately	Aug. 28, 1973.
MUHLENBERG COUNTY				
eabody Coal Co., River Queen Mine:				
Boilers	AP-3,4	Oct. 5, 1973	Immediately	Oct. 15, 1974.
Crusher	AP-3	do	do	Mar. 1, 1974.
U & W Pallet Co., Inc.:				
Blowpipe exhaust	AP-3	Oct. 1, 1973	do	Jan. 31, 1974.
Planner	AP-3	do	do	Do.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Notcher	AP-3	do	do	Do.
Yard area haul roads	AP-3	do	do	Dec. 31, 1973.
NELSON COUNTY				
D.B. Sutherland & Sons: Dust room collector	AP-3	June 22, 1973	Immediately	Sept. 30, 1973.
Heaven Hill Distilleries Inc.: Grain cleaning and grain milling.	AP-3	June 12, 1973	do	Jan. 31, 1974.
Bardstown Mills, Inc.:				
Cyclone exit	AP-3	June 13, 1973	do	Dec. 31, 1974.
Receiving area	AP-3	do	do	Do.
Grain dryer	AP-3	do	do	Do.
Bardstown Ready-Mix Concrete Co.:				
Cement silo vent	AP-3	June 15, 1973	do	May 3, 1974.
Weigh hopper	AP-3	do	do	Do.
Truck loading	AP-3	do	do	July 3, 1973.
Haul road	AP-3	do	do	June 3, 1973.
Joseph E. Seagram & Sons, Inc., Fairfield Plant: Coal-fired boiler.	AP-3	June 14, 1973	do	Jan. 1, 1975.
Ross Construction Co., Inc.: Truck loading	AP-3	Oct. 1, 1973	do	Dec. 31, 1973.
Ray A. Parrish & Sons:				
Cement silo	AP-3	do	do	June 1, 1974.
Yard storage areas	AP-3	do	do	Aug. 1, 1974.
OHIO COUNTY				
Duneway Timber Co., Inc.:				
1, 2, and 3 cyclone exhaust	AP-3	Oct. 1, 1973	Immediately	Jan. 31, 1974.
Yard work area	AP-3	do	do	Sept. 1, 1973.
Ross Brothers Lumber Co.:				
Blower, saw	AP-3	June 15, 1973	do	May 15, 1973.
Blower, chipper	AP-3	do	do	Do.
Debarker	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Young Manufacturing Co., Inc.:				
Incinerator	AP-3	do	do	June 30, 1973.
Incinerator	AP-3	do	do	Do.
Cyclone I	AP-3	do	do	Do.
Cyclone II	AP-3	do	do	Jan. 1, 1974.
Cyclone III	AP-3	do	do	Do.
125 hp boiler	AP-3, 4	do	do	Apr. 1, 1975.
OLDHAM COUNTY				
Southern States Lagrange Corp.: Coal-fired boiler	AP-3	June 7, 1973	Immediately	Dec. 31, 1973.
PENDLETON COUNTY				
Griffin Industries, Inc.: Rendering facility	AP-9	Oct. 4, 1973	Immediately	Feb. 1, 1974.
Black River Mining Co.:				
Surface plant	AP-3	June 15, 1973	do	May 1, 1973.
Lime kilns	AP-3	do	do	Apr. 3, 1973.
Lime kiln	AP-3	do	do	June 15, 1973.
Clyde S. Parker Ready Mix:				
Cement silo	AP-3	June 22, 1973	do	May 4, 1973.
Cement loading hopper	AP-3	do	do	Do.
Aggregate loading belt	AP-3	do	do	Do.
PERRY COUNTY				
Blue Diamond Coal Co.:				
Conveyor belt discharge to ground storage	AP-3	June 11, 1973	Immediately	July 30, 1973.
Conveyor belt discharge to ground storage—Lincoln.	AP-3	do	do	Do.
Railroad car loading	AP-3	do	do	May 1, 1973.
Truck haul roads	AP-3	do	do	May 15, 1973.
Truck dump	AP-3	do	do	Aug. 31, 1973.
R.O.M. bin 3 conveyor belt discharge	AP-3	do	do	Aug. 30, 1973.
Railroad car shakeout	AP-3	do	do	Dec. 31, 1973.
Blending bin belt discharge	AP-3	do	do	Nov. 30, 1973.
Loadouts at blending belts	AP-3	do	do	June 31, 1973.
Railroad car loading	AP-3	do	do	Nov. 30, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Conveyor belt discharge to clean coal storage	AP-3	do	do	Do.
Loading rooms preparation plant	AP-3	do	do	May 18, 1973.
Coal dryer	AP-3	do	do	Sept. 30, 1974.
Preparation plant heating plant boiler	AP-3	do	do	Do.
Mine car dump	AP-3	do	do	Do.
Mine car dump preparation plant	AP-3	do	do	Dec. 31, 1973.
Conveyor belt discharge baker branch	AP-3	do	do	July 30, 1973.
PIKE COUNTY				
arey Branch Coal Co., Inc.: Receiving hopper	AP-3	Oct. 2, 1973	Immediately	Mar. 1, 1974.
oley Block Co., Inc.: Cement silo vent	AP-3	Oct. 1, 1973	do	Do.
ouble O Coal Co.: Coal Stockpile	AP-3	Oct. 2, 1973	do	Jan. 1, 1974.
entucky Elkhorn Coals, Inc.:				
Truck Bin	AP-3	Oct. 1, 1973	do	May 30, 1974.
Crusher	AP-3	do	do	Do.
illiamson Appalachian Regional Hosp.:				
Boilers	AP-3	June 11, 1973	do	Oct. 1, 1974.
Incinerator	AP-3	do	do	Nov. 1, 1973.
POWELL COUNTY				
8. Sipple Brick Co.:				
Kiln exhaust	AP-9	June 15, 1973	Immediately	Oct. 1, 1974.
Grinding and screening operation	AP-3	do	do	Dec. 31, 1973.
PULASKI COUNTY				
erican Concrete Pumping Co.				
Cement silo	AP-3	Oct. 3, 1973	Immediately	Mar. 14, 1974.
ggregate	AP-3	do	do	Do.
d State Automotive Parts Rebuilders:				
Buffer and degreaser	AP-3	Sept. 28, 1973	do	Nov. 1, 1973.
Paint booth	AP-3	do	do	Do.
ar Siegler, Inc.: Incinerator	AP-3	do	do	Apr. 5, 1974.
eady Mix Concrete Co.:				
Cement Silo Weigh Hopper	AP-3	June 14, 1973	do	Dec. 30, 1973.
Batch discharge	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Aggregate handling	AP-3	do	do	Do.
Cement silo vent	AP-3	do	do	Do.
Mixer	AP-3	do	do	Do.
binson Milling Co., Inc.:				
Cyclone dust collector		June 15, 1973	do	Dec. 31, 1973.
Do		do	do	June 30, 1974.
Do		do	do	Dec. 31, 1974.
ROCKCASTLE COUNTY				
mers Feed & Supply:				
Cyclone exit	AP-3	Oct. 5, 1973	Immediately	May 1, 1974.
Truck dump pit	AP-3	do	do	Dec. 30, 1973.
adford Ready Mix:				
Silo vent	AP-3	June 14, 1973	do	June 15, 1973.
Stockpile	AP-3	do	do	May 31, 1973.
Batch loadout	AP-3	do	do	Do.
ROWAN COUNTY				
W Pallet Co.: Sawdust blow pipe	AP-3	Sept. 28, 1973	Immediately	Jan. 30, 1973.
ehead State University: Boiler	AP-3	June 15, 1973	do	Sept. 1, 1973.
solidated Ready Mix, Inc.: Cement silo		do	do	Dec. 30, 1973.
C. Wells & Son, Inc.:				
Teepee burner	AP-3	do	do	Apr. 15, 1973.
Haul roads	AP-3	do	do	Do.
e Lumber Co.:				
Teepee burner	AP-3	do	do	Apr. 1, 1974.
Sawmill	AP-3	do	do	July 1, 1973.
Haul roads	AP-3	do	do	May 1, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
RUSSELL COUNTY				
Russell Co. Feed Mill, Inc.: Cyclone dust collector	AP-3	June 15, 1973	Immediately	Dec. 31, 1973.
Farmers Feed Mill: Cyclone dust collector	AP-3	do	do	Oct. 30, 1973.
SCOTT COUNTY				
Nally & Gibson Georgetown Inc.:				
Cement silo	AP-3	Oct. 5, 1973	Immediately	Dec. 30, 1973.
Cement batcher	AP-3	do	do	Do.
Truck loading point	AP-3	do	do	Do.
Aggregate bin	AP-3	do	do	Do.
SHELBY COUNTY				
Bagdad Roller Mills, Inc.: Tal plant	AP-3	June 14, 1973	Immediately	Apr. 9, 1975.
Climax Mills, Inc.: Cyclone seperator	AP-3	June 12, 1973	do	Apr. 1, 1974.
SIMPSON COUNTY				
Hudsons Farm Service:				
Cyclone exit	AP-3	June 15, 1973	Immediately	Dec. 30, 1973.
Receiving pit	AP-3	do	do	Nov. 30, 1973.
Bulk loadout	AP-3	do	do	Do.
SPENCER COUNTY				
Crescent Roller Mills Co., Inc.: Cyclone dust collector.	AP-3	Oct. 3, 1973	Immediately	Feb. 1, 1974.
TAYLOR COUNTY				
Whitney and Whitney Lumber Co.: Yard area	AP-3	Oct. 4, 1973	Immediately	Sept. 18, 1973.
J. E. Bailey Wood Products: Yard area	AP-3	do	do	Do.
Taylor County Feed Co.: Cyclone dust collector		July 2, 1973	do	Nov. 30, 1973.
Buckhorn Coal and Lumber Co.:				
Silo vent	AP-3	June 15, 1973	do	Oct. 30, 1973.
Batch dump	AP-3	do	do	Do.
Campbellsville Milling Co.:				
Cyclone	AP-3	do	do	Sept. 30, 1973.
Receiving and shipping	AP-3	do	do	Do.
TODD COUNTY				
Allensville Grain Co., Inc.:				
Grain unloading	AP-3	June 12, 1973	Immediately	Apr. 1, 1974.
Grain dryer	AP-3	do	do	Apr. 4, 1975.
TRIGG COUNTY				
Futrell Sawmill:				
Main saw and edger	AP-3	Oct. 1, 1973	Immediately	Jan. 31, 1974.
Yard area	AP-3	do	do	July 26, 1973.
UNION COUNTY				
Custom Feed Mills: Cyclone exit	AP-3	June 15, 1973	Immediately	Jan. 30, 1974.
Morgan Concrete & Materials Co.:				
Cement silo	AP-3	June 12, 1973	do	Dec. 30, 1973.
Batch discharge	AP-3	do	do	Do.
WARREN COUNTY				
Tri-County Stone Co.:				
Primary crusher	AP-3	June 6, 1973	Immediately	May 1, 1973.
Hammer mill	AP-3	do	do	Do.
Lime pulverizer	AP-3	do	do	Do.
Colt Industries—Holley Carburetor Division: Incinerator.	AP-3	June 15, 1973	do	July 31, 1973.
Dibrell-Ky., Inc.: Redrying	AP-9	Oct. 1, 1973	do	Dec. 1, 1974.
Farmers Supply & Produce: Cyclone collector	AP-3	do	do	Mar. 1, 1974.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
American Mills, Inc.:				
Receiving area	AP-3	July 2, 1973	...do	Nov. 1, 1973.
Hammermill cyclone	AP-3	...do	...do	Feb. 1, 1974.
WASHINGTON COUNTY				
yden Mill & Grain	AP-3	July 17, 1973	Immediately	Sept. 30, 1973.
ngfield Redrying Co.: Ordering exhaust	AP-9	Oct. 4, 1973	...do	Oct. 1, 1974.
WEBSTER COUNTY				
se Feed & Grain Inc.:				
Truck receiving	AP-3	Oct. 4, 1973	Immediately	Oct. 30, 1973.
Rail car loading	AP-3	...do	...do	Do.
gan Concrete & Materials:				
Cement silo weigh	AP-3	June 12, 1973	...do	Dec. 30, 1973.
Hopper, batch discharge	AP-3	...do	...do	Do.
WHITLEY COUNTY				
eady Mills, Inc., of Williamsburg:				
Saw	AP-3	June 15, 1973	Immediately	June 1, 1973.
Cyclone	AP-3	...do	...do	Do.
ngton Ready-Mix Co.:				
Cement storage	AP-3	Oct. 1, 1973	...do	Jan. 30, 1974.
Truck loading	AP-3	...do	...do	Do.
Conveyors	AP-3	...do	...do	Do.
Haul roads	AP-3	...do	...do	Do.
WOODFORD COUNTY				
ral Distillers Projects Co.:				
Boilers	AP-3	June 15, 1973	Immediately	Apr. 9, 1975.
Cyclone	AP-3	...do	...do	June 1, 1974.
COMMONWEALTH OF KENTUCKY				
ndy Electric Steel Co., Boyd County:				
Electric arc furnace	AP-3	Dec. 28, 1973	Immediately	Nov. 19, 1973.
Do	AP-3	...do	...do	July 1, 1974.
Do	AP-3	...do	...do	Oct. 4, 1974.
Tundish and ladle lancing	AP-3	...do	...do	Sept. 27, 1974.
Electric arc furnace	AP-3	...do	...do	Oct. 25, 1974.
can Olean Tile Co., Hancock County:				
2 Calcine furnace	AP-9	...do	...do	Oct. 1, 1974.
3 Allied tunnel kiln	AP-9	...do	...do	Do.
4 Allied tunnel kiln	AP-9	...do	...do	Do.
8 Allied tunnel kiln	AP-9	...do	...do	Do.
9 Allied tunnel kiln	AP-9	...do	...do	Do.
can Olean Tile Co., Breckinridge County:				
2 Allied tunnel kiln	AP-9	...do	...do	Do.
3 Allied tunnel kiln	AP-9	...do	...do	Do.
r Seal Co., Fayette County:				
at cure oven vent	AP-3	Dec. 5, 1973	...do	Apr. 1, 1975.
ed chrome operation exhaust	AP-3	...do	...do	Do.
hell Shoe Co., Pendleton County: Spray booth	AP-3	Nov. 28, 1973	...do	Dec. 1, 1973.
ky Utilities Co. Ghent Facility, Carroll County: l No. 1.	AP-3	Nov. 15, 1973	...do	June 1, 1974.
	AP-4	...do	...do	Jan. 31, 1977.
	AP-7	...do	...do	June 1, 1974.
Thomas & Sons, Inc., Lewis County: Sawdust pipe system.	AP-3	Oct. 28, 1973	...do	Nov. 1, 1973.
lidated Ready Mix, Rowan County: 02 ent silo.	AP-3	June 15, 1973	...do	Dec. 30, 1973.
e Dodge Magnet Wire Co., Christian County:				
gnet wire manufacturing	AP-3	Oct. 31, 1973	...do	Apr. 1, 1975.
Do	AP-9	...do	...do	Apr. 1, 1976.
ville Ready Mix, Cumberland County: 06 k loading.	AP-3	Oct. 5, 1973	...do	Dec. 31, 1973.
e Wood Service, Inc., Edmonson County:				
haust pipe	AP-3	Nov. 15, 1973	...do	Jan. 31, 1974.
d area and haul road	AP-3	...do	...do	Aug. 1, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Buckhorn Hazard Coal Co., Perry County: 02 Stacker/conveyor.	AP-3	Nov. 21, 1973	do	Mar. 1, 1974.
Clarence Maggard Coal Co., Leslie County Mine car dump.	AP-3	Nov. 20, 1973	do	Dec. 15, 1973.
Ecco Coal Mining Co., Perry County:				
Truck dump	AP-3	do	do	July 1, 1974.
Conveyor	AP-3	do	do	Do.
Screens, crushers and car loading	AP-3	do	do	Do.
Henry Clay Mining Co., Pike County:				
01 Haul roads	AP-3	Nov. 19, 1973	do	Sept. 21, 1973.
03 Crusher	AP-3	do	do	May 1, 1974.
Indian Head Processing Co., Perry County:				
01 Truck dump	AP-3	Nov. 20, 1973	do	Mar. 1, 1974.
04 Car loading	AP-3	do	do	Do.
North-East Coal Co., Johnson County: Truck dump area.	AP-3	Nov. 23, 1973	do	Apr. 30, 1974.
Wade Hacker Sawmill, Clay County:				
Sawdust discharger	AP-3	Nov. 15, 1973	do	Dec. 15, 1973.
Planer discharge	AP-3	do	do	Aug. 15, 1973.
Haul roads	AP-3	do	do	July 15, 1973.
Waste burning	AP-3	do	do	Aug. 31, 1973.
Anderson & Spilman Milling Co., Boyle County: Cyclone exit.	AP-3	Nov. 23, 1973	do	Sept. 30, 1974.
Duncan & McFarland Farm Service, Inc., Anderson County: Cyclone exit.	AP-3	Nov. 19, 1973	do	Do.
Farmers Feed Mill, Inc., Fayette County: Cyclone collector.	AP-3	do	do	Mar. 1, 1974.
Lawrenceburg Supply Co., Anderson County:				
01 Silo	AP-3	Nov. 15, 1973	do	Jan. 1, 1974.
02 Aggregate handling	AP-3	do	do	Do.
04 Haul roads	AP-3	do	do	Do.
Morgan Concrete Company, Inc., Jessamine County:				
Silo vent	AP-3	Nov. 21, 1973	do	Apr. 1, 1974.
Truck loading	AP-3	do	do	Do.
National Casket Co., Garrard County:				
03 Cyclone collector for sanding	AP-3	Nov. 15, 1973	do	June 1, 1974.
26 Adhesive spray booth	AP-3	do	do	Feb. 1, 1974.
Shely Construction Co., Fayette County: Cement silo vent.	AP-3	Nov. 19, 1973	do	Dec. 1, 1973.
Tester & Casséty Farm Service, Inc., Jessamine County: Cyclone exit.	AP-3	Nov. 23, 1973	do	Sept. 30, 1974.
Ideal Supplies, Inc., Kenton County: Cement silo vent.	AP-3	Nov. 19, 1973	do	Feb. 20, 1975.
Lingo Manufacturing Co., Inc., Boone County:				
Spray booth 4, 5, 6	AP-5	Dec. 20, 1973	do	Jan. 15, 1975.
Baking oven 7, 8	AP-5	do	do	Do.
Wadsworth Electric Manufacturing Co., Kenton County: 04 Baking oven.	AP-5	Nov. 29, 1973	do	Sept. 23, 1974.
William Booth Memorial Hospital, Kenton County: Incinerator	AP-3	Nov. 15, 1973	do	Mar. 15, 1974.
Nestaway-Coated Metallic Products, Inc., Ohio County:				
Stripper	AP-3	Dec. 28, 1973	do	Sept. 15, 1974.
Fusion oven	AP-3	do	do	Feb. 1, 1975.
Everman Lumber Co., Lewis County:				
Drag chain	AP-3	Nov. 15, 1973	do	Sept. 1, 1973.
Yard storage area	AP-3	do	do	Do.
Chipper	AP-3	do	do	Nov. 30, 1973.
Mullins & Sexton Pallets & Lumber, Carter County: Pallet shop.	AP-3	do	do	Dec. 30, 1973.
Todd's Farm Supply, Bracken County: Corn grinding	AP-3	Nov. 19, 1973	do	June 1, 1974.
Barber Cabinet, Inc., Washington County: Spray painting booth.	AP-3	Nov. 15, 1973	do	Jan. 31, 1974.
Elizabethtown Ice Cream Co., Hardin County: Incinerator.	AP-3	do	do	Do.
Ennis Milling Co., Larue County:				
Haul roads	AP-3	Nov. 21, 1973	do	Sept. 1, 1973.
Unloading area	AP-3	do	do	Mar. 1, 1974.
Cyclone	AP-3	do	do	Do.
Goodman Bros. Co., Inc., Shelby County: Haul roads.	AP-3	do	do	Sept. 15, 1973.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
J. B.'s Cabinet Shop, Hardin County: Spray paint booth.	AP-3	Nov. 15, 1973	do	Nov. 1, 1973.
Jenkins-Essex Co., Inc., Hardin County:				
Sawdust collection	AP-3	do	do	Sept. 19, 1974.
Cyclone exhaust	AP-3	do	do	Jan. 31, 1974.
McAnelly Feed Mill, Marion County:				
Haul roads	AP-3	Nov. 21, 1973	do	Sept. 1, 1973.
Unloading area	AP-3	do	do	June 1, 1974.
Cyclone	AP-3	do	do	Do.
Reichmuth Sawmill & Lumber Co., Bullitt County:				
01 Yard area	AP-3	Nov. 15, 1973	do	Jan. 1, 1974.
02 Sawdust blowpipe	AP-3	do	do	Do.
Thompson's Heading & Stave Mill, Inc., Larue County:				
Debarker	AP-3	do	do	Do.
Heading mill	AP-3	do	do	Do.
Stavemill	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.
ssociated Pallet, Inc., Muhlenberg County:				
02, 03 Debarker	AP-3	Dec. 20, 1973	do	June 1, 1974.
04, 06 Sawdust blowpipe system	AP-3	do	do	Do.
05 Chipper and truck load	AP-3	do	do	Do.
01 Yard and roads	AP-3	do	do	Do.
07 Pallet mill blow system discharge	AP-3	do	do	Do.
ay Lumber Co., Muhlenberg County:				
Sawdust blowpipe	AP-3	Nov. 15, 1973	do	May 1, 1974.
Road and yard	AP-3	do	do	Do.
abel Lumber Co., Muhlenberg County:				
Debarker	AP-3	do	do	Dec. 31, 1973.
Head saw and edger	AP-3	do	do	Oct. 1, 1974.
Dimension mill	AP-3	do	do	Do.
Haul roads/yard	AP-3	do	do	Dec. 15, 1973.
cintosh Lumber Co., Todd County:				
Debarker	AP-3	Nov. 14, 1973	do	Mar. 1, 1974.
Sawdust	AP-3	do	do	Do.
Chip van	AP-3	do	do	Do.
Roads and yard	AP-3	do	do	Do.
easant View Greenhouses, Hopkins County: Coal-fired boilers Nos. 8177 and 7345.	AP-3	do	do	Apr. 1, 1975.
derson Forest Products, Inc., Hart County:				
01 Sawdust blowpipe	AP-3	Dec. 21, 1973	do	Dec. 31, 1973.
03 Sawmill	AP-3	do	do	Do.
04 Chipper, chip blower pipe	AP-3	do	do	Do.
05 Pallet mill	AP-3	do	do	Do.
umberland Stave Co., Inc., Lincoln County:				
Chipper	AP-3	Nov. 15, 1973	do	Jan. 1, 1974.
Sawdust loading	AP-3	do	do	Do.
rm Service, Inc., Barren County: Cyclone collector	AP-3	Nov. 21, 1973	do	Feb. 1, 1974.
amble Brothers, Inc., Allen County:				
Teepee burner	AP-3	Dec. 7, 1973	do	Nov. 1, 1974.
Cyclone	AP-3	do	do	Do.
Chipping and truck loading	AP-3	do	do	Nov. 1, 1973.
Roads and yard	AP-3	do	do	Do.
m P. Keller, Inc., Russell County: 02 Exhaust for planer.	AP-3	Nov. 15, 1973	do	May 1, 1974.
laski Block & Tile, Pulaski County: Cement silo vent.	AP-3	Nov. 20, 1973	do	Feb. 15, 1974.
ir Gate Co., Inc., Casey County: Sawmill shaving, glowing.	AP-3	Nov. 15, 1973	do	June 1, 1974.
pkinsville Block Co., Inc., Monroe County: Cement silo vent.	AP-3	Nov. 20, 1973	do	Jan. 15, 1974.
son Lumber Co., Casey County: Sawdust handling.	AP-3	Nov. 13, 1973	do	Apr. 30, 1974.
y Cola Co., Clay County:				
Coal storage dump	AP-3	Dec. 28, 1973	do	Feb. 1, 1974.
Conveyor	AP-3	do	do	Do.
Screening and crushing	AP-3	do	do	Do.
Coal loading	AP-3	do	do	Do.
Haul roads	AP-3	do	do	July 1, 1973.
mons Feed Mill, Laurel County: Hammermill cyclone.	AP-3	Dec. 27, 1973	do	July 1, 1974.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Laminated Timbers, Inc., Laurel County:				
Sawdust blower	AP-3	Dec. 19, 1973	do	May 1, 1974.
Open burning	AP-3	do	do	Nov. 15, 1973.
Hale Lumber Co., Clay County:				
Debarker	AP-3	do	do	May 1, 1973.
Blower	AP-3	do	do	Apr. 1, 1974.
Haul roads	AP-3	do	do	May 1, 1973.
Blower on stavemill	AP-3	do	do	Apr. 1, 1974.
Faulkner-Fain Co., Inc., Jessamine County: Spray painting booth.	AP-3	Dec. 20, 1973	do	May 1, 1974.
Karst Robbins Coal Co., Inc., Harlan County:				
Belt transfer	AP-3	Dec. 28, 1973	do	Do.
Conveyor transfer to stockpile	AP-3	do	do	Do.
Hawkins Building Supply, Lincoln County: Planing mill exhaust.	AP-3	Dec. 20, 1973	do	Apr. 15, 1974.
Mallard Pen & Pencil Co., Inc., Scott County: 01, 02, 03 Paint spray booths (3).	AP-3	Dec. 27, 1973	do	Jan. 31, 1974.
Tenacrest Division, Safegard Corp., Garrard County: Excelsior picking.	AP-3	Dec. 28, 1973	do	Dec. 31, 1973.
Hardy Bros. Mill, Pendleton County: Cyclone separator.	AP-3	Dec. 21, 1973	do	Aug. 1, 1974.
Signode Corp., Kenton County:				
Triclene-phosphatizing unit	AP-5	Dec. 28, 1973	do	Oct. 30, 1974.
Degreaser	AP-5	do	do	Do.
Daviess County Sand & Gravel, Daviess County:				
Nos. 1 and 2 cement silo	AP-3	Dec. 27, 1973	do	Feb. 15, 1974.
No. 3 truck loadout	AP-3	do	do	Do.
Herbert Woosley Batmill & Sawmill, Ohio County:				
Sawmill	AP-3	Dec. 20, 1973	do	Dec. 31, 1973.
Yard area	AP-3	do	do	Oct. 15, 1973.
Batmill	AP-3	do	do	Dec. 31, 1973.
J. S. Cottrell & Co., Daviess County:				
Sawdust blowpipe discharge	AP-3	Dec. 21, 1973	do	Nov. 15, 1973.
Open burning	AP-3	do	do	Oct. 11, 1973.
Yard and roads	AP-3	do	do	Nov. 1, 1973.
PB & S Chemical Co., Henderson County:				
03, 04, 05 Spray paint Booths	AP-3	Dec. 28, 1973	do	Aug. 30, 1974.
07, 08, 09 Container filling	AP-3	do	do	Apr. 2, 1975.
Tank vent, trailer vent	AP-9	do	do	Do.
17 Dry chemical blending	AP-3	do	do	Mar. 25, 1975.
Secra Lumber Co., Daviess County:				
Yard area and haul roads	AP-3	Dec. 20, 1973	do	Dec. 31, 1973.
Debarker and sawmill	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.
Clarkson Feed Store, Grayson County: Cyclone collector.	AP-3	Dec. 27, 1973	do	May 1, 1974.
Hedden-Reed Co., Shelby County:				
Stockpile	AP-3	Nov. 13, 1973	do	Mar. 1, 1974.
Haul roads	AP-3	do	do	Do.
Small & Son, Grayson County:				
Circle saw	AP-3	Dec. 20, 1973	do	Dec. 31, 1973.
Cutoff saw and sawdust blowpipe	AP-3	do	do	Do.
T & H Feed Service, Inc., Marion County: Cyclone exit.	AP-3	Dec. 28, 1973	do	Oct. 30, 1974.
Community Feed Mill, Muhlenberg County: Cyclone exit.	AP-3	Dec. 21, 1973	do	Do.
Kevil Feed & Grain Co., Ballard County:				
Hammermill cyclone	AP-3	Dec. 18, 1973	do	Oct. 6, 1973.
Receiving pit	AP-3	do	do	May 15, 1974.
Car loading	AP-3	do	do	Dec. 15, 1973.
Illinois Central Gulf RR., McCracken County:				
Locomotive spray paint operation	AP-3	Dec. 28, 1973	do	Oct. 15, 1974.
Sand blast	AP-3	do	do	Do.
James Enlow Sawmill, McCracken County:				
Pallet shop dust discharger	AP-3	Dec. 20, 1973	do	Mar. 15, 1974.
Yard and roads	AP-3	do	do	Do.
James T. Mathis & Sons Lumber Co., Hickman County:				
Haul roads	AP-3	do	do	June 15, 1974.
Sawmill blowpipe discharger	AP-3	do	do	Do.
Debarker	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Lilly Brothers Seed Co., Inc., Christian County: Hammermill cyclone exit.	AP-3	Dec. 24, 1973	do	Oct. 1, 1974.
Long Silo Co., Caldwell County: Cement silo	AP-3	Dec. 28, 1973	do	Jan. 1, 1974.
Lyles Concrete Co., Graves County: Cement silo vent.	AP-3	Dec. 27, 1973	do	Apr. 30, 1974.
Moorman Wood Products, Inc., Muhlenberg County:				
Saw	AP-3	Dec. 20, 1973	do	Aug. 15, 1974.
Planer	AP-3	do	do	Do.
Gang saw	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Moss-American, Inc., Trigg County:				
Sawdust blowpipe discharge	AP-3	do	do	July 1, 1974.
Chipper	AP-3	do	do	Do.
Haul road	AP-3	do	do	Do.
Debarker	AP-3	do	do	Do.
Chip loading at railroad car	AP-3	do	do	Do.
Reynolds & Doyle, McCracken County: Spray paint room.	AP-5	do	do	Mar. 30, 1974.
Southern States Co-op., Inc., Caldwell County: Cyclone collector.	AP-3	Dec. 27, 1973	do	June 1, 1974.
Tri-State Stave Co., Caldwell County:				
01, 02, 03, 04, sawdust blowpipe discharger	AP-3	Dec. 20, 1973	do	Aug. 1, 1974.
5 haul roads	AP-3	do	do	Jan. 31, 1974.
Warren Elevator, Inc., Todd County:				
Cyclone collector	AP-3	Dec. 28, 1973	do	July 1, 1974.
Receiving pit	AP-3	do	do	Do.
Bulkload out	AP-3	do	do	Do.
Grain dryer	AP-3	do	do	Apr. 1, 1975.
B & R Lumber Co., Inc., Butler County: Circle saw, multiple rip saw, 3 blowpipe exhaust.	AP-3	Dec. 20, 1973	do	Jan. 31, 1974.
Christian Wood Products, Inc., Wayne County:				
Teepee burner	AP-3	do	do	Jan. 15, 1974.
Indirect heat exchanger	AP-3	do	do	Apr. 9, 1975.
Cyclone collectors	AP-3	do	do	Oct. 1, 1974.
Crane Co., Pulaski County:				
Spray booths	AP-3	do	do	Jan. 31, 1974.
Railroad unloading for clays	AP-3	do	do	Jan. 1, 1975.
Kilns	AP-9	do	do	Do.
Dale Freeman Timber Co., Taylor County: Blowing sawdust from dimensioning saw.	AP-3	do	do	May 1, 1974.
Denney Lumber Co., Pulaski County:				
Debarker	AP-3	Dec. 21, 1973	do	Jan. 15, 1974.
Sawdust loading area	AP-3	do	do	Do.
Franklin Lumber Co., Inc., Simpson County:				
Weigh hopper	AP-3	Dec. 20, 1973	do	Dec. 1, 1973.
Aggregate conveyor	AP-3	do	do	Do.
Aggregate hopper	AP-3	do	do	Do.
Lonnie Hayes & Sons Stove Co., Inc., Casey County: Stave mill.	AP-3	do	do	Mar. 1, 1974.
Rone & McGuyer, Inc., Butler County:				
Planer and circle saw blowpipe exhaust	AP-3	do	do	Dec. 1, 1973.
Sawdust blowpipe, gang saw	AP-3	do	do	Do.
Headsaw sawdust blowpipe	AP-3	do	do	Do.
Sewell C. Harlin Lumber Co., Barren County:				
1 and 2 blowpipe exhaust headsaw and edger	AP-3	do	do	July 1, 1974.
03 Storage bin for planer	AP-3	do	do	Nov. 1, 1973.
04 Debarker	AP-3	do	do	Do.
Somerset Wilbert Vault Co., Pulaski County:				
Cement storage silo	AP-3	Dec. 21, 1973	do	Apr. 1, 1974.
Driveway	AP-3	do	do	Do.
Southland Manufacturing, Inc., Warren County:				
Sawdust collection cyclone exhaust	AP-3	Dec. 20, 1973	do	July 1, 1974.
Yard area	AP-3	do	do	Nov. 11, 1973.
Sprowl Lumber Co., Inc., Monroe County:				
Debarker	AP-3	Dec. 28, 1973	do	May 15, 1974.
Headsaw	AP-3	do	do	Do.
Planer	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Oct. 25, 1973.
Stinson Lumber Co., Wayne County: Sawmill	AP-3	Dec. 20, 1973	do	Jan. 31, 1974.
Watkins Lumber, Barren County: Sawmill	AP-3	Dec. 21, 1973	do	Do.
Withers Pallet Mill, Russell County: Sawdust blowing	AP-3	Dec. 20, 1973	do	June 1, 1974.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
Louisville Gas & Electric, Jefferson County:				
Cane Run, unit No. 4	[2] 4.0	Jan. 22, 1974	do	Mar. 1, 1976.
Cane Run, unit No. 5	[2] 4.0	do	do	Nov. 1, 1976.
Cane Run, unit No. 6	[2] 4.0	do	do	July 1, 1977.

[1] These compliance schedules were adopted pursuant to the Air Pollution Control Regulations of the Jefferson County Air Pollution Control District. The schedules are approved by the State of Kentucky Department for Natural Resources and Environmental Protection and are submitted in satisfaction of the currently applicable State regulation. They are enforceable by the State agency pursuant to the provisions of KRS 224.450(4).

[2] These compliance schedules were adopted pursuant to regulation 4.0 of the Air Pollution Control Regulations of the Jefferson County Air Pollution Control District which requires the equivalent emission limitation as regulation AP-4 of the Kentucky Air Pollution Control Commission Regulations approved in the State implementation plan. These schedules are approved by the State of Kentucky Department for Natural Resources and Environmental Protection and submitted in satisfaction of the currently applicable State regulation. They are enforceable by the State agency pursuant to the provisions of KRS 224.450(4).

KENTUCKY

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
W. H. Sandusky & Son, Inc.:					
Dust drag and truck load	Adair	AP-3	June 8, 1973	Immediately	June 15, 1973.
Haul road	do	AP-3	do	do	Jan. 1, 1974.
Modern Fold-Wood:					
Master division incinerator	Allen	AP-3	Dec. 15, 1973	do	Nov. 1, 1973.
Dust collection system	do	AP-3	do	do	Sept. 1, 1974.
McMurtrey Ready Mix—Bowling Green Plant, silo.	Barren	AP-3	June 13, 1973	do	June 1, 1973.
McMurtrey Ready Mix—Glasgow Plant:					
Silo	do	AP-3	June 12, 1973	do	June 30, 1973.
Batch discharge	do	AP-3	do	do	July 27, 1973.
J. R. Hoe & Son Inc., cupola	Bell	AP-3	June 6, 1973	do	Dec. 31, 1973.
Kentucky Utilities Co., Pineville Stadium Plant, boilers.	do	AP-3	June 13, 1973	do	Apr. 1, 1975.
Cline Brick Co., Nos. 1 and 2 kilns.	Boyd	AP-9	June 15, 1973	do	Oct. 1, 1974.
General Concrete Co., concrete batch Plant.	do	AP-3	June 8, 1973	do	Aug. 1, 1973.
The Hyland Co., feed mill	do	AP-3	June 12, 1973	do	Oct. 1, 1973.
Mansbach Metal Co.:					
Shreader	do	AP-3	Dec. 28, 1973	do	Sept. 1, 1974.
2 Aluminum sweat furnaces	do	AP-3	do	do	Dec. 15, 1974.
Block burner	do	AP-3	do	do	Do.
Railroad car incinerator	do	AP-3	do	do	Jan. 30, 1974.
Haul roads	do	AP-3	do	do	Aug. 20, 1973.
Mansbach Metal Co., yard area	do	AP-3	do	do	Aug. 15, 1974.
Stevens Concrete Co., Inc.:					
Silo vent	Boyle	AP-3	July 26, 1973	do	Dec. 5, 1973.
Do	do	AP-3	do	do	Do.
Batch loadouts	do	AP-3	do	do	Sept. 5, 1973.
Do	do	AP-3	do	do	Do.
Stockpile	do	AP-3	do	do	Do.
Haul roads	do	AP-3	do	do	Do.
Precast Concrete Sales Service:					
Vent	Bullitt	AP-3	June 15, 1973	do	Dec. 20, 1973.
Fan exhaust	do	AP-3	do	do	July 10, 1973.
Aggregate haul roads	do	AP-3	do	do	Apr. 5, 1973.
O. Ames Co., teepee	Caldwell	AP-3	do	do	Nov. 1, 1973.
W.R. Grace & Co., Construction Products Division:					
Vermiculite experimental furnace.	Campbell	AP-3	June 6, 1973	do	Nov. 15, 1973.
Perlite experimental furnace	do	AP-3	do	do	July 1, 1973.
Vermiculite experimental furnace model D 18.	do	AP-3	do	do	Nov. 15, 1973.
Geo Wiedemann Brewing Co.: Grain collection cyclone exhaust.	do	AP-3	June 15, 1973	do	Feb. 18, 1974.
Deena Products Co.:					
Buffing discharge	Carlisle	AP-3	Dec. 20, 1973	do	June 15, 1974.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
7 spray booths without filters	do	AP-3	do	do	Do.
uneral Refractories Co., Tunnel ilns and downdraft kilns.	Carter	AP-9	June 6, 1973	do	Nov. 1, 1974.
asey Ready Mix, ready mix plant.	Casey	AP-3	June 8, 1973	do	June 25, 1973.
elson Lumber Co., sawmill operation.	do	AP-3	Nov. 13, 1973	do	Apr. 30, 1974.
oncrete Mix Co., silo stack	Christian	AP-3	June 6, 1973	do	May 15, 1973.
I.C. Owens Co.:					
Dust collector	do	AP-3	June 15, 1973	do	Jan. 31, 1974.
Woodfired boiler	do	AP-3	do	do	Do.
ast Kentucky Rural Electric Cooperative Corp., Dale facility:					
Unit No. 4	Clark	AP-3	do	do	April 9, 1975.
Unit No. 1	do	AP-3 AP-4	do	do	Feb. 1, 1975.
Unit No. 2	do	AP-3 AP-4	do	do	Nov. 1, 1974.
Unit No. 3	do	AP-3	do	do	Apr. 9, 1975.
.R. Grace and Co., Dewey and Almy Chemical Division, Polufibron Division, Battery, separator ovens.	Daviess	AP-3	June 13, 1973	do	Do.
een River Steel Division/ Jessup Steel Co.:					
Acid pickling	do	AP-3	Feb. 15, 1974	do	Aug. 1, 1974.
Traveling machine grinder	do	AP-3	do	do	Do.
2 electric arc furnaces	do	AP-3	do	do	Mar. 31, 1975.
Hot scarfing operation	do	AP-3	do	do	Mar. 15, 1975.
eady-Mix Concrete Co., concrete batch plant.	do	AP-3	June 6, 1973	do	June 1, 1973.
itehall Furniture, Inc.:					
Cyclone dust wood chip collection.	do	AP-3	Dec. 20, 1973	do	July 31, 1974.
Spray booth	do	AP-3	do	do	Apr. 30, 1974.
myth Lumber Co.:					
Bark incinerator	Estill	AP-3	Dec. 19, 1973	do	Nov. 1, 1973.
Planning mill blower	do	AP-3	do	do	May 1, 1974.
luegrass Art Cast, Inc., precast concrete plant.	Fayette	AP-3	June 6, 1973	do	June 1, 1973.
R.J. Reynolds Tobacco Co.:					
Stacks Nos. 50 and 60	do	AP-3	May 29, 1973	do	Oct. 1, 1973.
Stacks Nos. 1–39 and 61	do	AP-3	do	do	Nov. 1, 1974.
R.J. Reynolds Tobacco Co.:					
Pneumatic conveying	do	AP-3	do	do	Oct. 1, 1973.
Separator exhaust	do	AP-3	do	do	Nov. 1, 1974.
Exhaust from tangential separator.	do	AP-3	do	do	Oct. 1, 1973.
chenley Distillers, Inc., boiler	do	AP-3	June 15, 1973	do	Dec. 1, 1974.
tandard Products Co.:					
Curing oven exhaust	do	AP-3	Dec. 28, 1973	do	Dec. 2, 1974.
Cooling exhaust	do	AP-9	do	do	Do.
Fume exhaust	do	AP-3	do	do	Do.
hompson-King-Tate, ready mix concrete plant.	do	AP-7	July 6, 1973	do	July 15, 1973.
ste Lumber Co., sawmill	Fleming	AP-3	June 15, 1973	do	June 4, 1973.
and Creek Coal Co., Prince Plant heat dryer.	Floyd	AP-3	do	do	May 1, 1974.
m & Goin Co., Ready mix concrete plant.	Franklin	AP-3	do	do	June 15, 1973.
lby Veneer & Lumber Co., wood waste incinerator.	Fulton	AP-3	Aug. 5, 1973	do	Sept. 15, 1973.
arborundum Co., Graphite Products Division:					
Mixing processing	do	AP-3	June 15, 1973	do	Jan. 1, 1975.
No. 11 graphitizing furnace	do	AP-3, 4, 6	do	do	Apr. 9, 1975.
l City Pottery Co., bake ovens	Graves	AP-9	Nov. 15, 1973	do	Aug. 15, 1974.
e Industries Inc.:					
Cement silo vent	do	AP-3	Dec. 27, 1973	do	Jan. 31, 1974.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
Do	do	AP-3	do	do	Do.
Do	do	AP-3	do	do	Do.
Grayson County Ready Mix, Inc., concrete batch plant.	Grayson	AP-3	June 8, 1973	do	June 15, 1973.
Ashland Milling Co., Inc., feed mill.	Greenup	AP-3	June 14, 1973	do	Dec. 30, 1973.
C & I Ready Mix Concrete, concrete batch plant.	Harlan	AP-3	June 6, 1973	do	May 14, 1973.
Cynthiana Ready Mix, Inc. concrete batch plant.	Harrison	AP-3	June 13, 1973	do	July 1, 1973.
Community Methodist Hospital, incinerator.	Henderson	AP-3	June 15, 1973	do	Nov. 1, 1973.
Scott Lumber Co., Inc., boiler (wood-fired).	do	AP-3	June 13, 1973	do	June 1, 1974.
Smithfield Milling Co.:					
Receiving bin	Henry	AP-3	June 15, 1973	do	June 30, 1973.
Duct from vents	do	AP-3	do	do	July 30, 1974.
Hickman County Feed Mill, feed mill.	Hickman	AP-3	do	do	July 4, 1973.
Department of Health, District No. 1 TB Hospital:					
Incinerator	Hopkins	AP-3	June 6, 1973	do	Sept. 1, 1974.
Boilers	do	AP-3	do	do	Jan. 1, 1975.
McWhorter Stave Co.:					
Sawdust from headsaw exhausted onto pile.	Jackson	AP-3	Sept. 28, 1973	do	Sept. 1, 1973.
Log and stave yard	do	AP-3	do	do	July 18, 1973.
American Synthetic Rubber Corp.:					
Rubber manufacturing	Jefferson	5.5.2	Feb. 12, 1973	do	Aug. 30, 1973.
Solvent storage	do	5.0	Feb. 21, 1973	do	Do.
Flare stack	do	5.5.2, 3.2.2	Feb. 12, 1973	do	Do.
Amoco Oil Co., gasoline storage tank.	do	5.0.2	May 20, 1973	do	Aug. 1, 1973.
Anderson Wood Products Co.:					
Wood manufacturing equipment.	do	3.1	Jan. 9, 1973	do	Apr. 19, 1975.
Cyclone collector woodwaste fired boilers.	do	3.2	do	do	Do.
Ashland Chemical Co.:					
Truck and drum loading of hydrocarbons.	do	5.0, 5.1, 5.5	do	do	Feb. 15, 1974.
Transfer and handling organic matericls.	do	5.1.2	May 9, 1973	do	Nov. 30, 1973.
Ashland Oil Co., Southern Region, branded marketing storage tanks.	do	5.0.2	Mar. 14, 1973	do	Mar. 15, 1975.
Blatz Paint Co., paint production	do	5.5.2	Feb. 6, 1973	do	Apr. 19, 1975.
Boone Box Co., gas-oil boilers, wood manufacturing equipment, paper manufacturing equipment.	do	3.1, 3.2	Jan. 9, 1974	do	Mar. 15, 1974.
Boyles Galvanizing. chromic-acid tank.	do	3.2	Feb. 6, 1973	do	Dec. 12, 1972.
Brown-Forman Distillers Corp., Howard Street Plant, boilers.	do	3.1.1, 3.3, 4.0.1	Feb. 12, 1973	do	Apr. 19, 1975.
B. J. Distributors, Inc., aggregate drying.	do	3.2.2	do	do	Feb. 25, 1973.
Campbell Tobacco Rehandling, tobacco manufacturing equipment.	do	8.1	Feb. 19, 1974	do	Apr. 2, 1975.
Catalyst Division/Chemetron Corp., chemical processing equipment.	do	7.0	May 9, 1973	do	Jan. 15, 1974.
Celanese Coating Co., Devoe Paint Division, paint production.	do	5.5.2, 5.5.3	Feb. 6, 1973	do	Dec. 31, 1973.
Celanese Coating Co., Technical Center, paint production.	do	5.5.2, 3.2.2	Mar. 14, 1973	do	Mar. 16, 1973.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
anese Piping System, grinder yclones.	do	3.2.2	Feb. 19, 1974	do	July 1, 1974.
eron Asphalt Co., volatile or- anic storage tanks.	do	5.0.1	Apr. 10, 1973	do	Jan. 1, 1975.
hart Refractories Co., electric c furnace refractory products.	do	3.2.4, 9.1	Feb. 12, 1973	do	Apr. 1, 1975.
hart Refractories Co., West lant, refractory products.	do	3.2.2	Feb. 21, 1973	do	Mar. 31, 1975.
co, Inc., paint spray booths, aint bake oven.	do	5.5	Jan. 9, 1974	do	Jan. 31, 1975.
tainer Corp. of America:					
Paper corrugating	do	3.2.1	Oct. 10, 1973	do	Nov. 1, 1974.
Boilers	do	3.1, 4.0	do	do	Do.
tinental Pipeline Co., gasoline torage.	do	5.0.2	June 20 1973	do	Mar. 31, 1973.
son Lumber Co., raw wood ills.	do	3.2.2	Sept. 12, 1973	do	Jan. 15, 1975.
Hart Paint & Varnish Co., paint anufacturing.	do	5.5.2	Mar. 14, 1973	do	Apr. 19, 1975.
l Inc., dry milk processing quipment.	do	3.2.1	Oct. 10, 1973	do	Oct. 31, 1974.
Early & Daniel, Co., Inc., rain storage and handling.	do	3.2, 3.3	do	do	Apr. 1, 1975.
on Co. (Humble Oil), storage	do	5.0	Feb. 12, 1973	do	Jan. 25, 1973.
eral Chemical Co., Starks ldg., fertilizer production.	do	3.2.2, 8.0, 8.1	do	do	Jan. 30, 1974.
eral Sign & Signal Corp., aint spray booth.	do	3.2.1, 3.2.2	Dec. 12, 1973	do	Apr. 1, 1975.
r Corp., concrete batch plant	do	3.2	Aug. 8, 1973	do	Do.
dman Chemical Coating, c., Louisville Division, coating anufacturing.	do	5.5.2	Mar. 14, 1973	do	Dec. 1, 1974.
eral Shale Products Corp., rick products.	do	3.2.2, 3.3	Feb. 12, 1973	do	Jan. 20, 1974.
be-Union Inc., battery manu- acturings.	do	3.2.2, 3.2.4, 5.5	May 9, 1973	do	Nov. 1, 1974.
d Proof Elevator, grain proc- ssing.	do	3.2.2	Feb. 12, 1973	do	Jan. 20, 1974.
rich and Bradsby Co., wood aste incinerator.	do	3.2	Feb. 21, 1973	do	Apr. 19, 1975.
Klas Paints Inc., paint prod- cts.	do	5.5.2	Feb. 12, 1973	do	Dec. 30, 1974.
ois Central Gulf Railroad, and handling.	do	3.2.2	Feb. 19, 1974	do	Oct. 15, 1974.
ont Corp., ink manufacturing	do	5.0.2, 5.1, 5.5.2	Mar. 14, 1973	do	Sept. 1, 1973.
erson Concrete Co., concrete atching.	do	3.2.2	Feb. 12, 1973	do	May 15, 1973.
Jefferson Wood Working o., wood working equipment.	do	5.5.2	do	do	Apr. 19, 1975.
co Coal & Chemical Co., lac- uer products.	do	5.5.2	Feb. 21, 1973	do	Mar. 30, 1973.
y Tech. Coating Inc.:					
Paint products	do	5.5.2	Feb. 12, 1973	do	Dec. 31, 1974.
Solvent storage	do	5.0	do	do	Do.
tucky By-Products Corp.:					
Finish products	do	3.2	June 20, 1973	do	Dec. 9, 1973.
Rotary dry	do	3.2	do	do	Apr. 19, 1975.
er Lumber Co.:					
Mill working	do	5.5.2	Nov. 15, 1973	do	Apr. 17, 1975.
Paint spray booth	do	3.2	do	do	Do.
ees Coating Inc., paint manu- cturers.	do	5.5.2	Feb. 12, 1973	do	June 30, 1974.
le Seed Co., Inc., grain han- ling.	do	3.2.2	Mar. 14, 1973	do	Dec. 28, 1973.
o Fabrication, Inc., concrete anufacturing equipment, as- estos sheet and pipe manu- cturing.	do	3.2	Jan. 9, 1974	do	Apr. 1, 1975.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
Logan Co.:					
Iron cupola	do	6.0.1	June 20, 1973	do	Sept. 4, 1973.
Castings	do	3.2.2	do	do	Do.
Louisville Builders Supply Co., concrete brick plant.	do	3.2.2	May 9, 1973	do	Aug. 31, 1973.
Louisville Cooperage Co., boiler	do	3.2	June 20, 1973	do	May 1, 1973.
Louisville Varnish Co., Floyd and Eastern Parkway Plant, paint manufacturers.	do	5.5.1	Feb. 12, 1973	do	Oct. 31, 1973.
Louisville Varnish Co., 1400 Maple St. Plant, paint manufactures.	do	5.5.2	do	do	Dec. 31, 1974.
Edward H. Marcus Paint Co., Inc., paint manufactures.	do	5.5.2	Mar. 14, 1973	do	Apr. 19, 1975.
Marshall Supply Co.:					
2 cyclones	do	3.2	Nov. 15, 1973	do	June 1, 1974.
Coal fired boiler	do	3.1, 4.0	do	do	Do.
Martin Marietta Aggregates, Cedar Creek Plant, quarry.	do	3.2.2, 3.3	Feb. 12, 1973	do	Mar. 31, 1973.
Mobile Chemical Co., paint manufactures.	do	5.5.2	do	do	Apr. 19, 1975.
Murray Co., Inc., Asphalt Plant-Anchorage, asphalt plant.	do	3.2.2	do	do	Mar. 1, 1973.
National Distiller Products Co., Sunny Brook Plant, coal fired boilers.	do	3.1, 4.0	Oct. 10, 1973	do	Apr. 1, 1975.
National Distiller Products Co., Hill & Hill Plant, coal fired boiler.	do	3.1, 4.0	do	do	Do.
North American Fertilizer Co., fertilizer products.	do	3.2.2, 3.3	Feb. 12, 1973	do	Dec. 10, 1973.
Ohio Falls, Inc., boiler	do	3.1.1, 3.3 3.0.1	do	do	Apr. 19, 1975.
Payne & Hager, Inc., spray paint booth.	do	5.5.2	do	do	Do.
Peerless Division of Dover:					
Paint spray booth	do	5.5	Nov. 23, 1973	do	Do.
Hot air dryers	do	5.5	do	do	Do.
Proform, Inc., mold line	do	5.5.2	Feb. 19, 1974	do	Apr. 15, 1975.
Progress Paint Co., Inc., paint manufacturers.	do	5.5.2	Feb. 12, 1973	do	Dec. 31, 1974.
Ralston Purina, Chow Division:					
Grain handling	do	3.2.2	do	do	Jan. 30, 1974.
Grain drying	do	3.3	do	do	Do.
Reynolds Metals Co., Plant No. 15, A1 manufacturers.	do	3.2.2	do	do	Aug. 1, 1973.
Ryan Industries Inc., spray paint booth	do	5.5.2	do	do	Apr. 19, 1975.
Seabolt & Associates, industrial laundry.	do	3.2.2	do	do	Feb. 28, 1973.
St. Anthony Hospital, boiler plant	do	3.1.1, 3.3, 4.0.1	do	do	Jan. 15, 1974.
St. Regis Paper Co., printing press.	do	5.5.2, 5.5.4	do	do	Oct. 19, 1973.
H. J. Scheirich Co., wood working.	do	3.2.2	July 11, 1973	do	Apr. 19, 1975.
Schmutz Manufacturing Co., Inc., sand handling.	do	3.2.2	Feb. 19, 1974	do	Apr. 7, 1975.
Schenley Distillers, Inc., coal fired boilers.	do	3.1.3, 4.0.1	do	do	Apr. 19, 1975.
Southern Baptist Theological Seminary, boiler.	do	3.2	June 20, 1973	do	Oct. 1, 1974.
Stiglitz Corp. Inc., spray paint booth.	do	5.5.2	Feb. 12, 1973	do	Apr. 1, 1975.
Stratton & Terstegge Co.:					
Paint spray booths	do	5.5.1	Mar. 13, 1974	do	July 1, 1974.
Paint bake oven	do	5.5.2	do	do	Do.
Suburban Concrete Co.:					
Concrete batch	do	3.2.2	Apr. 10, 1973	do	Sept. 30, 1974.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
Millers Lane plant concrete batch.	do	3.2.2, 3.3	Apr. 23, 1973	do	Do.
un Oil Co., organic storage	do	5.0	June 20, 1973	do	July 30, 1974.
nshine Biscuits, Inc.	do	3.3.2	Feb. 12, 1973	do	Jan. 30, 1974.
exaco Inc., truck loading facility	do	5.1.1	Sept. 12, 1973	do	Apr. 1, 1975.
exas Gas Transmission Co., Jeffersontown Compressor Station, natural gas compressing.	do	3.2.2	Feb. 12, 1973	do	Mar. 31, 1973.
be Turns:					
Metal Pickling	do	3.2.2, 3.2.4	do	do	Apr. 19, 1975.
Paint Spray Booth	do	5.5.2	do	do	Do.
iversal Container Corp., wood waste incinerator.	do	3.0	Nov. 15, 1973	do	Do.
gt Bros. Products:					
Paint spray booth	do	3.1, 5.5	June 20, 1973	do	Do.
Baking kiln	do	3.1	do	do	Do.
Degreaser, boiler	do.	4.0	do	do	Do.
lcan Hart Corp., sand handling	do	3.2.2	Feb. 19, 1974	do	Apr. 1, 1975.
hite Oak Cooperage Co., wood manufacturing equipment.	do	3.2	Aug. 8, 1973	do	Jan. 18, 1974.
dependence Foundry:					
Cupola	Kenton	AP-3, AP-6	June 6, 1973	do	Oct. 1, 1974.
Coke oven	do	AP-3	do	do	Do.
eane Foundry Co., Inc., cupola	do	AP-3	do	do	July 19, 1974.
andard Oil Co., petroleum terminal.	do	AP-5	June 11, 1973	do	Oct. 1, 1974.
nox Concrete Product, Inc.:					
Cement silo vent	Knox	AP-3	June 15, 1973	do	Dec. 30, 1973.
Batch discharge	do	AP-3	do	do	Do.
Haul road	do	AP-3	do	do	Do.
Aggregate handling	do	AP-3	do	do	Do.
thur Thompson Lumber Co., sawmill.	LaRue	AP-3	Nov. 15, 1973	do	Jan. 1, 1974.
aney Lumber Co., Inc.:					
Teepee burner	Laurel	AP-3	June 15, 1975	do	June 1, 1973.
Debarker	do	AP-3	do	do	Sept. 1, 1973.
Haul roads	do	AP-3	do	do	June 1, 1973.
mberland Forest Products Co., Inc.:					
Log yard and transportation area.	do	AP-3	Nov. 15, 1973	do	Sept. 1, 1973.
Sander and jointer	do	AP-3	do	do	Feb. 28, 1974.
Debarker	do	AP-3	do	do	Oct. 30, 1973.
uisa Supply Co., Inc., feed plant.	Lawrence	AP-3	June 12, 1973	do	May 1, 1973.
th Elkhorn Corp., Mine No. 22, hermal dryer.	Letcher	AP-3	June 13, 1973	do	Apr. 29, 1974.
he Auburn Mills Inc.:					
Grain handling	Logan	AP-3	Oct. 1, 1973	do	Apr. 9, 1975.
Grain dryer	do	AP-3	do	do	Apr. 4, 1975.
wisberg Pallet Co., pallet mill	do	AP-3	June 12, 1973	do	June 1, 1973.
rtec, Inc., 2 coal fired boilers	McCracken	AP-3, AP-4	Feb. 15, 1974	do	Nov. 15, 1973.
uminum Service Corp., haze from furnace wells.	McLean	AP-3	June 12, 1973	do	Apr. 1, 1975.
rea College:					
Boiler	Madison	AP-3	June 8, 1973	do	Aug. 1, 1974.
Wood working facility	do	AP-3	do	do	Jan. 31, 1974.
stern Kentucky University, 4 boilers.	do	AP-3	June 15, 1973	do	Apr. 1, 1975.
o-Green Sales Co.:					
Transfer point	Marion	AP-3	Dec. 28, 1973	do	Sept. 1, 1974.
Cyclone exit	do	AP-3	do	do	Oct. 30, 1974.
banon Oak Flooring Co.:					
Boilers A and B	do	AP-3	June 13, 1973	do	Apr. 9, 1975.
Wood working machine	do	AP-3	do	do	Dec. 31, 1974.
r Products & Chemicals	Marshall	AP-4	June 15, 1973	do	July 1, 1978.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
Kentucky Utilities Co., Brown Power Station:					
Units 1 and 2	Mercer	AP-3	June 13, 1973	do	Jan. 1, 1975.
Units 1, 2, and 3	do	AP-4	do	do	Sept. 30, 1973.
Bartley & Bartley Lumber Co.:					
Teepee	Metcalfe	AP-3	June 15, 1973	do	May 1, 1974.
Haul road and debarker	do	AP-3	do	do	May 15, 1973.
Roy Anderson Lumber Co.:					
Haul road and debarker	Monroe	AP-3	June 12, 1973	do	July 1, 1973.
Teepee incinerator	do	AP-3	do	do	May 1, 1974.
Frederick & May Lumber Co., Tepee burner.	Morgan	AP-3	June 13, 1973	do	Mar. 1, 1974.
Jessup Sawmilling Co.:					
Yard and haul roads.	Muhlenberg	AP-3	Nov. 15, 1973	do	Do.
Debarker	do	AP-3	do	do	Do.
Chipper and handling equipment.	do	AP-3	do	do	Do.
Kentucky Utilities Co., Green River Station:					
Units 1 and 2	do	AP-3, AP-4	June 13, 1973	do	Apr. 1, 1975.
Unit 3	do	AP-3	do	do	Dec. 14, 1973.
Unit 4	do	AP-3	do	do	Apr. 7, 1975.
James B. Beam Distilling Co.:					
Grain mill	Nelson	AP-3	Oct. 12, 1973	do	Jan. 1, 1974.
Dryer	do	AP-3	do	do	Apr. 8, 1975.
Willett Distilling Co., Inc.:					
3 boilers	do	AP-3, AP-4	June 14, 1973	do	Apr. 9, 1975.
Dust collectors	do	AP-3	do	do	Do.
Fort Hartford Stone Co.:					
Primary crusher	Ohio	AP-3	Mar. 8, 1974	do	July 15, 1974.
Secondary crusher	do	AP-3	do	do	Do.
Haul road	do	AP-3	do	do	Jan. 18, 1974.
Peabody Coal Co., Ken Mine boiler.	do	AP-3, AP-4	July 2, 1973	do	Oct. 15, 1974.
Peabody Coal Co., Riverview Mine:					
Haul roads	do	AP-3	do	do	June 1, 1973.
Boiler	do	AP-3, AP-4	do	do	Mar. 1, 1974.
Home Lumber Co. Inc., concrete batch plant.	Perry	AP-3	June 15, 1973	do	June 1, 1973.
Kentland Elkhorn Coal Co., Feds Creek Plant:					
Boiler	Pike	AP-3	do	do	Apr. 9, 1975.
Therma dryer	do	AP-3	do	do	Do.
Pikeville Ready Mix, Inc., ready mix operation.	do	AP-3	June 13, 1973	do	Dec. 1, 1973.
Kentucky Frame & Lumber Co.:					
Teepee incinerator	Pulaski	AP-3	June 15, 1973	do	Aug. 1, 1973.
Cyclone	do	AP-3	do	do	Jan. 31, 1974.
Boiler	do	AP-3	do	do	Sept. 1, 1974.
Somerset Refinery, Inc.:					
Water drawn from gasoline accumulator.	do	AP-9	Dec. 28, 1973	do	June 1, 1974.
Treating of No. 1 fuel oil and kerosene.	do	AP-5, AP-9	do	do	Do.
S. T. Proctor Lumber Co.:					
Ready mix operators	Rockcastle	AP-3	June 15, 1973	do	Apr. 15, 1974.
Truck loadout	do	AP-3	do	do	Aug. 15, 1973.
Aggregate	do	AP-3	do	do	June 1, 1973.
R. L. Wells Lumber Co., Inc., sawmill.	Rowan	AP-3	do	do	June 10, 1973.
American Concrete Pumping Co., Inc., concrete plant.	Russell	AP-3	June 13, 1973	do	Mar. 14, 1974.
W. H. Sandusky & Son, Inc.:					
Dust drag and truck load	do	AP-3	June 6, 1973	do	June 15, 1973.
Haul road	do	AP-3	do	do	Jan. 1, 1974.
Gro-Green Chemical Co., Inc.:					
Tower	Shelby	AP-3	Dec. 28, 1973	do	Sept. 1, 1974.
Loadout (1)	do	AP-3	do	do	Do.

KENTUCKY—Continued

Source	Location (county)	Regulation involved	Date of adoption	Effective date	Final compliance date
Loadout (2)	do	AP-3	do	do	Do.
Cyclone exit	do	AP-3	do	do	Oct. 30, 1974.
Ohio Valley Aluminum Co., Inc., 2 secondary reclamation furnaces.	do	AP-3	June 12, 1973	do	Feb. 1, 1974.
The Kendall Co., Polyken Plant:					
Cyclone collector adhesive plant No. 3.	Simpson	AP-3	Dec. 28, 1973	do	Oct. 1, 1974.
Mix mill exhaust adhesive plant Nos. 1 and 2.	do	AP-3	do	do	Do.
Mix mill exhaust fan	do	AP-3	do	do	Do.
Simpson County Lumber Co., sawmill operation.	do	AP-3	June 15, 1973	do	June 1, 1973.
Cadiz Milling Co., milling operation.	Trigg	AP-3	June 12, 1973	do	Nov. 1, 1974.
Morris E. Duncan Sawmill:					
Sawdust blowpipe discharge	Union	AP-3	Dec. 20, 1973	do	July 15, 1974.
Open Burning of slabs, strips	do	AP-3	do	do	Oct. 11, 1973.
Yard and roads	do	AP-3	do	do	Nov. 1, 1973.
Union County Grain Co.:					
Cyclone exit	do	AP-3	Oct. 1, 1973	do	July 30, 1974.
Truck dump grain loading	do	AP-3	do	do	May 31, 1973.
Truck loadout	do	AP-3	do	do	Do.
Grain dryer	do	AP-3	do	do	Apr. 1, 1975.
Murphy Concrete Co., Inc., concrete batching operation.	Warren	AP-3	July 2, 1973	do	Dec. 31, 1973.
McCutchen & Pyles Lumber Co.:					
Sawdust pile	Wayne	AP-3	May 29, 1973	do	July 15, 1973.
Yard	do	AP-3	do	do	June 1, 1973.
Wayne Lumber Co., sawmill No. 1.	do	AP-3	Dec. 20, 1973	do	Do.
U.S. Steel Corp., thermal dryers	Whitely	AP-3	Oct. 22, 1973	do	Apr. 9, 1975.
Kentucky Utilities Co., Tyrone Power Station, thermal dryers.	Woodford	AP-3	June 13, 1973	do	June 15, 1974.

[38 FR 16145, June 20, 1973, as amended at 40 FR 3418, Jan. 22, 1975; 40 FR 14071, Mar. 28, 1975; 40 FR 29541, July 14, 1975; 40 FR 40160, Sept. 2, 1975; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

§ 52.928 Control strategy: Sulfur oxides.

The revised SO_2 emission limit for large coal-fired boilers in Bell, Clark, and Woodford Counties, submitted on June 29, 1979, is disapproved since it does not provide for attainment and maintenance of all SO_2 NAAQS. The limit approved by EPA on May 10, 1976 (41 FR 19105), remains the limit applicable to these sources.

[49 FR 11091, Mar. 23, 1984]

§ 52.929 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area, including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Cincinnati Interstate Air Quality Maintenance Area (Kentucky Portion).

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants (part).

(ii) (*a*) Geographical composition of area identified for particulate matter:

Boone County, Campbell County, Kenton County.

(*b*) Geographical composition of area identified for photochemical oxidants:

Campbell County, Kenton County.

(2) Evansville Interstate Air Quality Maintenance Area (Kentucky Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Henderson County.

(3) Louisville Interstate Air Quality Maintenance Area (Kentucky Portion).

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Jefferson County.

[40 FR 41950, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.930 Control strategy: Ozone.

(a) [Reserved]

(b) *Part D—disapproval*—(1) Campbell and Kenton Counties nonattainment area. The 1979 SIP revisions for these two counties are disapproved because the Commonwealth failed to submit evidence of legal authority to implement a vehicle inspection and maintenance program as required under section 172(b)(11)(B) of the Clean Air Act. No major new or modified sources of volatile organic compounds can be built in these two counties by virtue of the provisions of section 110(a)(2)(I) of the Clean Air Act.

(2) Northern Kentucky (Boone, Campbell and Kenton Counties) ozone nonattainment area. The demonstration of attainment of the ozone standards by the end of 1982, submitted as part of Kentucky's ozone SIP revision on June 23, 1982, (draft), September 27, 1982, and November 3, 1982, is disapproved. As a result, the extension of the attainment deadline until December 31, 1987, remains in effect, along with the related requirement to submit a SIP revision addressing all requirements of Part D extension areas.

[46 FR 58082, Nov. 30, 1981, as amended at 48 FR 13169, Mar. 30, 1983; 51 FR 10210, Mar. 25, 1986]

§ 52.931 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Kentucky.

(c) All applications and other information required pursuant to § 52.21 from sources located in the Commonwealth of Kentucky shall be submitted to the Division of Air Pollution Control, Department for Natural Resources and Environmental Protection, West Frankfort Office Complex, U.S. 127, Frankfort, Ky. 40601, instead of the EPA Region IV office.

[43 FR 3361 Jan. 25, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.932 Rules and regulations.

(a) The last sentence of section 3(1) of Kentucky regulation 401 KAR 3:050, which specifies that a new fossil fuel fired steam electric generator's allowable SO_2 emissions may be calculated by averaging SO_2 emissions from existing units of this type and from new ones, is disapproved since it contravenes Subpart D of 40 CFR Part 60, New Source Performance Standards.

(b) Section 8(2)(a) of regulation 401 KAR 61:015 is disapproved in that it allows the Tennessee Valley Authority's Shawnee power plant until October 1, 1981, to achieve compliance with emissions limits which are not made more stringent by the 1979 Part D revisions, and which the source was previously required to meet by July 1, 1977.

(c) Section 8(2)(d) of regulation 401 KAR 61:015 is disapproved in that it allows sources until December 31, 1982, to achieve compliance with emission limits which are not made more stringent by the 1979 Part D revisions, and which the sources were previously required to meet prior to 1979.

FR 19106, May 10, 1976, as amended at
R 40188, Aug. 7, 1981]

.933—52.934 [Reserved]

**935 Control strategy: Particulate
natter.**

Part D—Conditional approval.

With the exception of Regulation
KAR 61:015, Section 8, paragraph
l), which is disapproved, the 1979
l suspended particulate revisions
Bell, Boyd, Jefferson, McCracken
Muhlenberg counties, and that
ion of Bullit County in Shepherds-
, that portion of Campbell County
Newport, that portion of Daviess
ty in Owensboro, those portions
Henderson County in and around
derson, that portion of Lawrence
nty in Louisa, that portion of
lison County in Richmond, that
ion of Perry County in Hazard,
portion of Pike County in Pike-
, and that portion of Whitley
nty in Corbin, nonattainment
s, are approved on condition that
following be submitted by October
981:

A revision to Regulation 401 KAR
55 Section 2(3) specifying a
hod for determining opacity for
ces of intermittent emissions
r than Method 9 of Appendix A,
FR Part 60.

) A revision to Regulation 401
R 61:020 Section 3, Standard for
ticulate Matter, such that the reg-
ion has a specific requirement of
onably available control technolo-
(RACT) applicable to sources of
ess fugitive emissions.

FR 85003, Dec. 24, 1980, as amended at
R 43744, Dec. 4, 1986]

936 Visibility protection.

) The requirements of section 169A
he Clean Air Act are not met be-
e the plan does not include ap-
able procedures meeting the re-
ements of 40 CFR 51.305 and
07 for protection of visibility in
datory Class I Federal areas.

) Regulations for visibility moni-
ng and new source review. The pro-
ons of §§ 52.26, 52.27, and 52.28 are
eby incorporated and made part of
applicable plan for the State of
tucky.

[51 FR 5505, Feb. 13, 1986]

Subpart T—Louisiana

§ 52.970 Identification of plan.

(a) Title of plan: "The Louisiana Air Control Commission Implementation Plan."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification that public hearings were held on the State's implementation plan was submitted on February 28, 1972. (Non-regulatory)

(2) Response to comments by Region VI on the plan was transmitted by the Louisiana Air Control Commission on May 8, 1972. (Non-regulatory)

(3) Revisions to Louisiana Air Control Regulations 6, 8, 18, 19, 22, A22, 27, 28, control strategy for photochemical oxidants-hydrocarbons, prevention of air pollution emergency episodes, source surveillance, and procedures for submission and approval and compliance schedules were submitted by the Governor on July 17, 1972.

(4) Revisions concerning the control strategy for photochemical oxidants and hydrocarbon for Region 106 was submitted by the Governor on March 30, 1973. (Regulatory)

(5) Revision of Section 6.1 of the State air control regulations was submitted by the Governor on April 25, 1973.

(6) A revision concerning the control strategy for particulate matter for the Southern Louisiana-Southeast Texas AQCR was submitted by the Governor on January 2, 1973.

(7) Variances to Emission Limiting Regulations adopted by the Louisiana Air Control Commission on October 29, 1975, December 12, 1975, and April 6, 1976, and submitted by the Governor on April 22, 1976.

(8) Commission Orders creditable as emission offsets for the GM Plant in Shreveport were submitted by the Governor on January 25, 1978 as amendments to the Louisiana State Implementation Plan.

(9) A proposed dedesignation of the Shreveport area as an AQMA for par-

ticulate matter was submitted by the Governor on December 9, 1977.

(10) An administrative revision of the Air Quality Surveillance Network was submitted by the Louisiana Air Control Commission on April 3, 1978. (Non regulatory)

(11) Revisions to Regulation 19.0, Emission Standards for Particulate Matter, as adopted on November 30, 1977, were submitted by the Governor on December 9, 1977.

(12) Minor changes and administrative revisions to regulations 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, 9.0, 10.0, 11.0, 12.0, 13.0, 14.0, 15.0, 16.0, and 17.0 of the Louisiana SIP were submitted by the Governor on December 9, 1977.

(13) A variance to Regulation 19.5 for Kaiser Aluminum & Chemical Corporation at Norco, Louisiana was submitted by the Governor on August 31, 1978.

(14) Revisions to the Air Control Regulations 18.1, 18.3, 18.5, 18.6-18.6.2, 18.7, 20.1-20.8, 21.1-21.6.4, 23.0-23.4.2, 24.1-24.5, 24.6.2, 24.7-24.7.3, 24.8, 25.0-25.6.2, 26.0-26.2, 26.4-26.8.2, 27.0-27.5.4, 28.0-28.6.2 and 30.0, as adopted by the Louisiana Air Control Commission on November 30, 1977, were submitted by the Governor on December 9, 1977.

(15) Revisions to the plan for attainment of standards for ozone (Part D requirements) were submitted by the Governor on April 30, 1979.

(16) Evidence of notice and public hearing for the April 30, 1979 plan was submitted by the Governor on June 20, 1979.

(17) Emission inventory information, emission reduction information, a certification of the lack of major degreasing sources, and a commitment to adopt future regulations were submitted by the Louisiana Air Control Commission on August 28, 1979 (non-regulatory).

(18) Schedule for the modification and submittal of regulations 22.6 and regulation 6.3.8 were submitted by the Louisiana Air Control Commission on October 11, 1979 (non-regulatory).

(19) Regulations 22.17 and 22.18, adopted by the Louisiana Air Control Commission on September 25, 1979 were submitted by the Governor on October 18, 1979.

(20) On January 10, 1980, the Governor submitted final revisions to the ambient monitoring portion of the plan.

Editorial Note: At 47 FR 6017, Feb. 10, 1982, the following paragraph (c)(20) was added to § 52.970. This paragraph will be correctly designated by an EPA document published in the Federal Register at a later date.

(20) Revised Regulation 22.8(c) was submitted by the Governor on June 20, 1979. This regulation was adopted by the Louisiana Air Control Commission on March 27, 1979.

(21) Revised Regulation 22.5 was submitted by the Governor on April 30, 1979. This regulation was adopted by the Louisiana Air Control Commission on March 27, 1979. A second revision to Regulation 22.5 was submitted by the Governor on July 7, 1979, as adopted by the Louisiana Air Control Commission on June 26, 1979.

(22) Revised Regulations 6.3.8, 22.3, 22.6.1, 22.6.2, 22.10, and 22.12.4 were submitted by the Governor on December 10, 1979. These regulations were adopted by the Louisiana Air Control Commission on November 27, 1979. A second revision to Regulation 6.3.8 was submitted by the Governor on October 23, 1980. The second revision was adopted by the Louisiana Air Control Commission on September 25, 1980.

(23) Revisions to the Air Control Regulations 24.6.1 and 24.7.4, as adopted by the Louisiana Environmental Control Commission on March 27, 1979, were submitted by the Governor on April 30, 1979.

(24) Revised Regulations 22.9.2, 22.9.3(b), 22.19, 22.20, 22.21, 22.22 and 22.23 and revised Regulation 4.0 (i.e. sections 4.99 through 4.116) were adopted by the State on November 27, 1979 and submitted by the Governor on December 10, 1979; and revised Regulations 22.3 and 22.20.2 were adopted by the State on July 22, 1980 and submitted by the Governor on September 12, 1980.

(25) Revised Regulations 22.9.3(b), 22.20.3, and 22.23.7 were adopted by the State on December 11, 1980 and submitted by the Governor on January 12, 1981; revised Regulation 22.21.2(E) was adopted by the State on

il 23, 1981 and submitted by the
ernor on June 3, 1981; and, revised
ulation 22.19.2(B) was adopted by
State on June 25, 1981 and submit-
by the Governor on July 22, 1981.
6) Revisions to the Air Control
ulations 6.1.1, 18.2, 18.4, 18.6.3,
.1, 24.9.1, 24.9.2, 26.3.1, 26.3.2 and
1, as adopted by the Louisiana En-
nmental Control Commission on
tember 25, 1980, were submitted by
Governor on October 23, 1980.
7) Revisions to the plan for permit
systems, interstate pollution abate-
t, public availability of emission
, maintenance of pay, permit
lic comment, and public notifica-
of exceedances of the primary na-
al ambient air quality standards
AQS), were submitted by the Gov-
or on April 30, 1979. In addition, re-
d submittals for permit fee sched-
were submitted on July 7, 1979;
tember 12, 1980; October 23, 1980;
January 12, 1981. The September
1980 letter also included a new
.285 (a), (b) and (c). Finally, the
e sent a notification letter on
ust 7, 1979, which corrected a ty-
raphical error in the maintenance
ay revision.
8) A revision to the Air Control
ulations 22.9.3(d) as adopted by
Louisiana Air Control Commission
December 11, 1980, was submitted
he Governor on January 12, 1981.
9) Revisions to the Air Control
ulations 8.5.1, 22.3.1.1, 22.3.1.2, and
0, as adopted by the Louisiana Air
trol Commission on April 23, 1981,
e submitted by the Governor on
e 3, 1981.
0) A revision to the Air Control
ulation 22.9.3(a), as adopted by the
isiana Air Control Commission on
28, 1981, was submitted by the
ernor on June 3, 1981.
1) A revision to the Air Control
ulation 22.3.2, as adopted by the
isiana Air Control Commission on
23, 1981, was submitted by the
ernor on August 17, 1981.
2) The Louisiana State Implemen-
on Plan for lead and Regulations
the Control of Air Pollution from
, 10.0—10.3 and 19A.0, were sub-
ed to EPA on July 27, 1979, by the
ernor of Louisiana as adopted by
Louisiana Air Control Commission
on July 24, 1979. Letters of Clarification dated January 6, 1982, April 1, 1982 and May 4, 1982 also were submitted. No action is taken on the Baton Rouge area.

(33) Section 6.1 of Regulation 6.0 amended and adopted by the Louisiana Environmental Control Commission on October 22, 1981, was submitted by the Governor on November 30, 1981.

(34) Revisions to the Air Control Regulations 4.102, 4.110, 22.20.2 and 22.21.2(D), as adopted by the Louisiana Environmental Control Commission on December 11, 1980, were submitted by the Governor on January 12, 1981.

(35) [Reserved]

(36) Revisions to the Air Control Regulations 4.14, 4.36, 6.6, 22.3.1.1, and 22.3.1.2, as adopted by the Louisiana Environmental Control Commission on February 26, 1981, were submitted by the Governor on March 25, 1981.

(37) Revisions to the Air Control Regulations 17.13, 23.4.1.1 and 23.4.4, as adopted by the Louisiana Environmental Control Commission on January 28, 1982, were submitted by the Governor on February 15, 1982.

(38) A revision to section 2210 of the Louisiana Air Control Law was submitted to EPA on March 10, 1982. The Section was renamed Section 1077 of the Environmental Affairs Act, by the Louisiana Legislature, and was effective January 1, 1980.

(39) The Louisiana State Implementation Plan for lead for the Baton Rouge area was submitted on July 27, 1979, with letters of clarification and revisions dated January 4, 1983, September 15, 1983, September 30, 1983. The final lead control plan was submitted in a letter dated October 31, 1983, as adopted by the Louisiana Air Control Commission on October 20, 1983.

(40) Revisions to sections 2.3, 3.1, 3.4, and 4.1 of the Rules and Regulations for the Fee System of the Air Quality Control Program, as adopted by the Louisiana Environmental Control Commission on January 26, 1983, were submitted by the Louisiana Department of Natural Resources (now the Department of Environmental Qual-

ity), Air Quality Division, on November 17, 1983.

(41) Deletion of Air Control Regulation 14.0, and deletion of hydrocarbon guideline standard from Table 1, 1a, and 2, as adopted by the Louisiana Environmental Control Commission on July 28, 1983, was submitted by the Governor on October 19, 1983.

(42) Revisions to the Air Control Regulation 22.22 as adopted by the Louisiana Environmental Control Commission on September 23, 1982, and submitted by the Governor on July 14, 1983.

(i) Incorporation by reference

(A) Regulation 22.22.1(A) and 22.22.2(A) Letter dated July 14, 1983, from the State of Louisiana and which change the reference for the test methods from a CTG document to the Louisiana Air Quality Regulations Division's Source Test Manual. These regulations were adopted on September 23, 1982.

(43) On October 4, 1985, the Governor submitted a revision entitled, "Protection of Visibility for Mandatory Class I Federal Areas," July 12, 1985. This submittal included new source review and visibility monitoring strategy as adopted by the Secretary of the Louisiana Department of Environmental Quality in October 1985.

(44) On August 14, 1985, the Governor of Louisiana submitted a Prevention of Significant Deterioration (PSD) Plan including Air Quality Regulations—Part V, (sections 90.1-90.19) as adopted by the Secretary of the Department of Environmental Quality on May 23, 1985. Air Quality Regulations—Part V provides authority for the State to implement the PSD program in certain areas of the State. Letters of commitment for air quality modeling (dated September 30, 1985) and Federal stack height and dispersion technique regulation (dated June 3, 1986) were submitted by the Secretary of Louisiana Department of Environmental Quality.

(i) Incorporation by reference.

(A) Louisiana Air Quality Regulations—Part V, Prevention of Significant Deterioration of Air Quality, except that no provision of this part applies to Indian Reservations meaning any Federally recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress, as adopted on May 23, 1985.

(B) A letter from the Secretary of Louisiana Department of Environmental Quality dated September 30, 1985, which commits the Department to use only the EPA approved air quality models in accordance with the provisions of 40 CFR 51.24(1) [now 40 CFR 51.166(1)] and to submit a stack height and dispersion techniques SIP revision by April 8, 1986.

(C) A letter from the Secretary of Louisiana Department of Environmental Quality dated June 3, 1986, which certifies that the Department interprets the provisions of section 90.8 of Louisiana PSD regulations as having the same meaning as the Federal stack height and dispersion technique regulation, 40 CFR 51.1(hh)-(kk) [now 40 CFR 51.100(hh)-(kk)], promulgated by EPA in the FEDERAL REGISTER of July 8, 1985, and that the State will apply, implement, and enforce these requirements in the PSD permitting process.

(D) A narrative explanation and additional requirements entitled "Prevention of Significant Deterioration Revisions to the Louisiana State Implementation Plan".

[37 FR 10869, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.970, see the List of CFR Sections Affected in the Finding Aid section of this volume.

§ 52.971 Classification of regions.

The Louisiana plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Southern Louisiana-Southeast Texas Interstate	II	I	III	III	[illegible]
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	[illegible]

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Monroe-El Dorado Interstate	II	III	III	III	III

[37 FR 10869, May 31, 1972, as amended at 45 FR 9909, Feb. 14, 1980]

§ 52.972 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Louisiana's plan for the attainment and maintenance of the national standards under Section 110 of the Clean Air Act. Further, the Administrator finds that the plan satisfies all requirements of Part D of the Clean Air Act, as amended in 1977, except as noted below.

In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on EPA approval of regulations submitted by Louisiana for the sources covered by controlled technique guidelines (CTGs) issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional reasonably achievable control technology (RACT) requirements for sources covered by CTGs issued by the previous January.

[45 FR 9909, Feb. 14, 1980]

§§ 52.973—52.975 [Reserved]

§ 52.976 Review of new sources and modification.

(a) Section 6.7 of Regulation 6.0 is disappoved since it could conflict with the preconstruction requirements for the prevention of significant deterioration (PSD) of air quality.

(b) Section 6.9 of Regulation 6.0 is disapproved since it could conflict with the preconstruction requirements for the prevention of significant deterioration (PSD) of air quality and the Administrator's Interpretative on Rule of December 21, 1976.

[44 FR 18491, Mar. 28, 1979, as amended at 47 FR 6017, Feb. 10, 1982]

§ 52.977 [Reserved]

§ 52.978 Resources.

(a) The requirements of § 51.280 of this chapter are not met since the plan does not indicate that adequate manpower and financial resources will be available to operate the State's air pollution control program.

[37 FR 10869, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.979 Attainment dates for national standards.

The table below presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Louisiana's plan, except where noted.

Air quality control region	Pollutant							Lead
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	
	Primary	Secondary	Primary	Secondary				
Monroe-El Dorado Interstate	a	a	b	b		b	b	b
Shreveport-Texarkana-Tyler Interstate:								
a. Caddo and Bossier Parishes	a	a	b	b	b	b	c	b
b. Remainder of AQCR	a	a	b	b	b	b	b	b

Air quality control region	Pollutant							Lead
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	
	Primary	Secondary	Primary	Secondary				
Southern Louisiana-Southeast Texas Interstate:								
a. Ascension, Iberville, St. James, St. John the Baptist, Calcasieu, Orleans, Jefferson, St. Bernard, St. Charles, Grant, Beauregard, Lafourche, Point Coupee, Lafayette, and St. Mary Parishes	a	a	a	a	b	b	c	
b. West Baton Rouge and East Baton Rouge Parishes	a	a	a	a	b	b	5/31/75	
c. Remainder of AQCR	a	a	a	a	b	b	5/31/75	

a. July 1975.
b. Air quality levels presently below secondary standards.
c. December 1982.
d. September 1, 1986.

NOTE: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act prior t the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlie attainment dates are set out at 40 CFR 52.979 (1978).

[45 FR 9910, Feb. 14, 1980, as amended at 47 FR 32530, July 28, 1982; 49 FR 18486, May 1, 1984]

§ 52.980 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved a revisions to the plan pursuant to § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State and have immediately effective dates.

Source, location	Regulation involved	Date schedule adopted	Final compliance da
WEST MONROE			
Olinkraft:			
(a) Wood waste boiler	18.2, 23.4.1(4)	Apr. 6, 1976	May 31, 1976.
(b) Recovery furnace No. 3	18.2, 23.4.1(1)	do	Mar. 20, 1977.
(c) Recovery furnace No. 1	23.4.1(1)	do	Mar. 21, 1977.
(d) Recovery furnace No. 2	23.4.1(1)	do	Do.
(e) Smelt tank vent No. 1	23.4.1(2)	do	Do.
(f) Smelt tank vent No. 2	23.4.1(2)	do	Do.
BOGALUSA			
Crown-Zellerbach:			
(a) Wood waste boiler 10–C	18.2, 23.3	Oct. 29, 1975	July 1, 1976.
(b) Recovery furnace No. 19	18.2, 23.4.1(1)	do	Oct. 31, 1975
(c) Smelt tank vent No. 19	23.4.1(2)	do	Sept. 29, 1975.
(d) Lime kiln	23.4.1(3)	do	Sept. 15, 1975
BASTROP			
International Paper (Bastrop mill): (a) Wood waste boiler	21.3	Dec. 12, 1975	May 30, 1977.
(a) Recovery furnace No. 4	18.2, 23.4.1(1)	do	Jan. 31, 1978.
(b) Recovery furnace No. 5	18.2, 23.4.1(1)	do	July 15, 1976.
(c) Wood waste boiler	18.2, 23.4.1(1)	do	Dec. 31, 1977.
SPRINGHILL			
International Paper (Springhill mill):			
(a) No. 2 power boiler	18.2	do	Feb. 15, 1976.
(b) No. 4 wood waste boiler	18.2, 23.4.1(4)	do	Oct. 30, 1976.
(c) No. 1 wood waste boiler	23.4.1(4)	do	Do.
(d) 6 power boilers	23.3	do	Dec. 31, 1976.
(e) Recovery furnace No. 1	23.4.1(1)	do	Feb. 15, 1976.
(f) Recovery furnace No. 2	23.4.1(1)	do	Do.
(g) Smelt tank vent No. 1	23.4.1(2)	do	Do.
(h) Smelt tank vent No. 2	23.4.1(2)	do	Do.
(i) No. 1 lime kiln	23.4.1(3)	do	Jan. 15, 1977.
(j) No. 3 lime kiln	23.4.1(3)	do	Do.

Source, location	Regulation involved	Date schedule adopted	Final compliance date
(k) Recovery furnace No. 3	23.4.1(1)	......do	Dec. 22, 1975.
(l) Smelt tank vent No. 3	23.4.1(2)	......do	Do.

(b) The compliance schedule below for Kaiser Aluminum & Chemical Corpo-ation is approved as a revision to the plan pursuant to § 51.104 and Subpart N f this chapter. The regulation cited is an approved regulation of the State.

Source	Location	Regulation involved	Final compliance date
aser Aluminum & Chemical Corp. (coke calciner)	Norco	19.5	Dec. 31, 1980.

(c) The compliance schedules below for Shell Oil Company is approved as a evision to the plan pursuant to § 51.104 and Subpart N of this chapter. The reg-lation cited is an approved regulation of the State.

Source	Location	Regulation	Final compliance date
Bulk gasoline terminal	Kenner	22.15	Sept. 1, 1982.
128 gasoline service stations	Parishes: Jefferson, Orleans, St. Tammany, St. John the Baptist, St. Charles, St. Bernard, Plaquemines, East Baton Rouge, West Baton Rouge, Calcasieu, Lafayette, St. Martin, Bossier, Caddo.	22.14	Do.

(d) The compliance schedules below r Exxon Chemical Intermediates are pproved as a revision to the plan pur-uant to § 51.104 and Subpart N of this hapter. The regulations cited are an pproved regulation of the State.

Source and location	Regulation	Final compliance date
on Chemical Interme-iates, Baton Rouge:		
A. BELA—5 vent abatement project.	22.8	Sept. 1, 1981.
B. Aromatics floating roof project.	22.3	Dec. 1, 1981.
C. Aromatics tank and vent vapor collection project.	22.3, 22.8	Nov. 30, 1982.

2 FR 37549, July 22, 1977, as amended at FR 35224, June 19, 1979; 47 FR 3116, Jan. , 1982; 47 FR 30762, July 15, 1982; 51 FR 675, 40676, Nov. 7, 1986]

52.981–52.985 [Reserved]

2.986 Significant deterioration of air quality.

a) The plan submitted by the Lou-ana Department of Environmental Quality (Specifically Louisiana Air Quality Regulations—Part V, sections 90.1–90.19, and supplemental documents as incorporated by reference) are approved as meeting the requirements of Part C, Clean Air Act for preventing significant deterioration of air quality.

(b) The requirements of sections 160 through 165 of the Clean Air Act are not met for Indian lands since the plan [specifically Louisiana Air Quality Regulations, section 90.1(1)] excludes all Federally recognized Indian lands from the provisions of this regulation. Therefore, the provision of § 52.21(b) through (w) are hereby incorporated by reference made a part of the applicable implementation plan and are applicable to sources located on land under the control of Indian governing bodies.

[52 FR 13673, Apr. 24, 1987]

§ 52.987 Control of hydrocarbon emissions.

(a) Notwithstanding any provisions to the contrary in the Louisiana Implementation Plan, the control measures listed in paragraphs (b) through (n) of this section shall be implemented in accordance with the schedule set forth below.

(b) Removal from service of a 10,000 barrel capacity crude oil storage tank at the Belcher Station of the Exxon Pipeline Company, Belcher, Louisiana, with a final compliance date of January 1, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 208 tons per year.

(c) Removal from service of a 55,000 barrel capacity crude oil storage tank at the Weller Station of the Exxon Pipeline Company, near Minden, Louisiana, with a final compliance date of January 1, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 263 tons per year.

(d) Installation of emission control systems on three 3,000 barrel capacity distillate storage tanks, at the Jones O'Brien Inc., Keatchie, Louisiana, with a final compliance date of January 1, 1978. This shall result in an estimated hydrocarbon emission reduction of at least 23 tons per year.

(e) Installation of emission control systems on crude oil storage tanks TK-43, TK-44, T-45 and T-49, and distillate tanks T-46 and T-50 at the Atlas Processing Company, Shreveport, Louisiana with a final compliance date of January 2, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 881 tons per year.

(f) Installation of emission control systems on crude oil storage tanks TK-19-74, TK-HC-74, TK-571-74 and TK-15-74 and agreement to store only nonvolatile organic solvent in tanks TK-F2-74, TK-41-74 and TK-40-74 at the Cotton Valley Solvents Company, Cotton Valley, Louisiana with a final compliance date of January 2, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 934 tons per year.

(g) Discontinue use of residue gas in pneumatic instrumentation and control systems at the Kerr-McGee Corporation, Devon Corporation, and Eason Oil Company, Calhoun Plant, Calhoun, Louisiana with a final compliance date of July 1, 1978. This shall result in an estimated hydrocarbon emission reduction of at least 21 tons per year.

(h) Discontinue use of residue gas in pneumatic instrumentation and control systems with a final compliance date of July 1, 1978, and install emission control systems on distillate storage tanks 2-7 and 2-13 with a final compliance date of January 2, 1980, at the Kerr-McGee Corp., Devon Corp., and Eason Oil Co., Dubach Plant, Dubach, Louisiana. This shall result in an estimated hydrocarbon reduction of at least 367 tons per year.

(i) Installation of emission control systems on a 37,500 barrel capacity crude oil storage tank at Cities Service Pipeline Company, Oil City, Louisiana with a final compliance date of February 1, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 208 tons per year.

(j) Installation of emission control systems on a 25,000 barrel capacity crude oil storage tank at Cities Service Pipeline Company, Haynesville, Louisiana with a final compliance date of February 1, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 28 tons per year.

(k) Installation of emission control systems on a 10,000 barrel capacity crude oil storage tank at Cities Service Pipeline Company, Summerfield, Louisiana with final compliance achieved in August 1977. This shall result in an estimated hydrocarbon emission reduction of at least 162 tons per year.

(l) Installation of emission control systems on a 30,000 barrel capacity crude oil storage tank at the Scurlock Oil Company, Lake End, Louisiana, with a final compliance date of January 15, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 90 tons per year.

(m) Installation of emission control systems on a 55,000 barrel capacity crude oil storage tank at the Scurlock Oil Company, Dutchtown Oil Field near Minden, Louisiana, with a final compliance date of January 15, 1980. This shall result in an estimated hydrocarbon emission reduction of at least 186 tons per year.

(n) Installation of emission control systems on distillate storage tank No. 414 with a final compliance date of September 1, 1979, and the removal from service of tank No. 450 with final compliance achieved on December 1, 1977, at the Texas Eastern Products Pipeline Company, Sarepta, Louisiana. This shall result in an estimated hydrocarbon emission reduction of at least 355 tons per year.

[44 FR 15705, Mar. 15, 1979]

§ 52.988 Rules and regulations.

(a) The requirements of § 51.281 of this chapter are not met since the definitions of "particulate matter" and "suspended particulate matter", as provided in sections 4.47 and 4.72 respectively, could in some circumstances make applicable emission limitations of the Louisiana Air Control Commission unenforceable. Therefore, sections 4.47 and 4.72 are disapproved.

(b) The following definition of particulate matter applies to Regulations 9.0 and 27.0: "Particulate matter" means any finely divided solid or liquid material, other than uncombined water, as measured by the high volume method prescribed in Appendix B of Part 50, Title 40 of the *Code of Federal Regulations.*

(c) The following definition of particulate matter applies to Regulations 19.0, 20.0, 21.0, 23.0, and 28.0: "Particulate matter" means any finely divided solid or liquid material, other than uncombined water, as measured by Method 5, or an equivalent or alternative method, of Appendix A, Part 60, Title 40 of the *Code of Federal Regulations.*

[44 FR 18491, Mar. 28, 1979, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.989 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into the applicable plan for the State of Louisiana.

[52 FR 45138, Nov. 24, 1987]

Subpart U—Maine

§ 52.1020 Identification of plan.

(a) Title of plan: "Implementation Plan for the Achievement of National Air Quality Standards."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory changes to the plan submitted on March 17, 1972, by the Environmental Improvement Commission for the State of Maine.

(2) Regulation 10.8.4(g) establishing compliance schedules for sources in Maine submitted on July 28, 1972, by the Environmental Improvement Commission for the State of Maine.

(3) A revision removing fuel burning sources with a maximum heat input from three million up to 10 million BTU/hr from the particulate matter control strategy submitted on March 29, 1973, by the Governor.

(4) Changes in the Open Burning Regulation 100.2 submitted on September 4, 1973, by the State of Maine Department of Environmental Protection.

(5) An AQMA proposal submitted on June 26, 1974, by the Governor.

(6) Revision to incinerator particulate emission standard, submitted on August 26, 1976 by the Commissioner of the Maine Department of Environmental Protection, which would exempt woodwaste cone burners from the plan until 1980.

(7) Revision to incinerator particulate emission standard, submitted on November 18, 1976 by the Commissioner of the Maine Department of Environmental Protection, which would exempt municipal waste cone burners from the plan.

(8) Revision to open burning regulation submitted on December 7, 1976 by the Commissioner of the Maine Department of Environmental Protection.

(9) Revisions to Chapter 5—*State Implementation Plan Air Quality Surveillance,* and Chapter 6—*Revision of New Sources and Modifications,* submitted by the Governor on March 10, 1978.

(10) Plans to meet various requirements of the Clean Air Act, including Part C, were submitted on May 1, 1979, October 26, 1979 and December 20, 1979. Included in the revisions is a plan for review of construction and operation of new and modified major stationary sources of pollution in attainment areas.

(11) Attainment plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted on May 1, 1979; October 26, 1979; December 20, 1979; July 9, 1980; July 31, 1980; December 18, 1980; March 17, 1981. Included are plans to attain: The secondary TSP standard for Augusta, Thomaston, Bangor and Brewer; the primary and secondary SO$_2$ standard for Millinocket; the carbon monoxide standard for Lewiston and Bangor and the ozone standard for AQCRS 107 and 110. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions are also included.

(12) A plan to provide for public involvement in federally funded air pollution control activities was submitted on May 28, 1980.

(13) Revisions to Chapter 5—State Implementation Plan—Air Quality Surveillance, intended to meet requirements of 40 CFR Part 58, were submitted by the Commissioner of the Maine Department of Environmental Protection on July 1, 1980.

(14) Revisions to attain and maintain the NAAQS for lead were submitted on August 7, and November 5, 1980.

(15) A revision to Regulation 100.6 (Chapter 106) "Low Sulfur Fuel Regulation" for the Metropolitan Portland Air Quality Control Region, submitted by the Governor of Maine on August 25, 1977.

(16) Department Regulation Chapter 112, Petroleum Liquid Transfer Vapor Recovery, is amended to exempt the town of Searsport, Maine from this regulation. This amendment was submitted by Henry E. Warren, Commissioner of the Department of Environmental Protection on October 23, 1981, in order to meet Part D requirements for ozone.

(17) Regulatory revisions to the plan containing changes to Chapter 101 "Visible Emissions Regulation" submitted August 7, 1980.

(18) On May 12, 1982 and February 11, 1983 the Maine Department of Environmental Protection submitted an emission limit contained in an air emissions license which requires Pioneer Plastics, Auburn, Maine to reduce its volatile organic compound emissions by at least 85%.

(19) On January 11, 1983 and March 29, 1984 and December 4, 1984 the Maine Department of Environmental Protection submitted revisions to Chapter 103 "Fuel Burning Equipment Particulate Emission Standard."

(20) A plan to attain the primary TSP standard in Lincoln, consisting of particulate emission limitations contained in an air emission license issued to the Lincoln Pulp and Paper Company, Inc., submitted by the Commissioner of the Maine Department of Environmental Protection on December 18, 1984.

(21) A revision to approve the deletion of Thomaston from the list of applicable municipalities in Maine regulation 29 M.R.S.A. Chapter 113, submitted by the Commissioner on February 20, 1986.

(22) Revision to federally-approved regulation Chapter 112, Petroleum Liquids Transfer Vapor Recovery [originally approved on February 19, 1980, see paragraph (c)(11), of this section, was submitted on August 4, 1986, by the Department of Environmental Protection.

(i) Incorporation by reference:

(A) Regulation Chapter 112(6), Emission Testing, is amended by incorporating test methods and procedures as stated in 40 CFR Part 60, Subpart XX, § 60.503 to determine compliance with emission standards for volatile organic compound emissions from bulk gasoline terminals. This revision to Regulation Chapter 112(6) became effective on July 22, 1986 in the State of Maine.

(ii) Additional materials: The nonregulatory portions of the state submittals.

[37 FR 10870, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.1020, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1021 Classification of regions.

The Maine plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Portland Intrastate	I	II	III	III	III
Androscoggin Valley Interstate	IA	IA	III	III	III
Down East Intrastate	IA	IA	III	III	III
Aroostook Intrastate	III	III	III	III	III
Northwest Maine Intrastate	III	III	III	III	III

[37 FR 10870, May 31, 1972, as amended at 45 FR 10774, Feb. 19, 1980]

§ 52.1022 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Maine's plan, as identified in § 52.1020, for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below:

In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 10774, Feb. 19, 1980]

§ 52.1023 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State unless otherwise noted. (See § 52.1025 for control strategy revision approvals and disapprovals pertaining to one or more of the sources listed below.)

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
All sources subject to Regulation 100.3.1(b) with a maximum heat input from three million up to but not including ten million Btu per hour.	Maine	100.3.1(b)	Mar. 29, 1973	Immediately	N/A.

[38 FR 22474, Aug. 21, 1973, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1024 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Maine's plan.

Air quality control region and nonattainment area[1]	Pollutant						
	TSP		SO$_2$		NO$_2$	CO	O$_3$
	Primary	Secondary	Primary	Secondary			
AQCR 107:							
Augusta	a	c	a	b	a	a	c
Rockland	a	b	a	b	a	a	c
Thomaston	a	e	a	b	a	a	c
Lewiston	a	b	a	b	a	c	c
Auburn	a	b	a	b	a	a	c
Remainder of AQCR	a	b	a	b	a	a	c
AQCR 109:							
Bangor	a	f	a	b	a	c	a
Brewer	a	f	a	b	a	a	a
Baileyville	a	b	a	b	a	a	a
Millinocket	a	b	d	d	a	a	a
Remainder of AQCR	a	b	a	b	a	a	a
AQCR 110	a	b	a	b	a	a	c

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1024 (1978).

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. 12/31/82.
d. 9/1/80.
e. 11/30/81.
f. 12/31/80.

[45 FR 10774, Feb. 19, 1980; 46 FR 33524, June 30, 1981, as amended at 47 FR 6830, Feb. 17, 1982]

§ 52.1025 Control strategy: Particulate matter.

(a) The revisions to the control strategy resulting from the modification to the emission limitations applicable to the sources listed below or resulting from the change in the compliance date for such sources with the applicable emission limitation is hereby approved. All regulations cited are air pollution control regulations of the State unless otherwise noted. (See § 52.1023 for compliance schedule approvals and disapprovals pertaining to one or more of the sources below.)

Source	Location	Regulation involved	Date of adoption
All sources subject to Regulation 100.3.1(b) with a maximum heat input from three million up to but not including ten million Btu per hour.	Maine	100.3.1(b)	3/29/73

(b) The revision to the incinerator particulate emission standard submitted on August 26, 1976 is disapproved because of provisions therein which would interfere with the attainment and maintenance of national ambient air quality standards.

(c) The revision to the incinerator particulate emission standard submitted on November 18, 1976 is disapproved because of provisions therein which would interfere with the attainment and maintenance of national ambient air quality standards.

(d) The revision to the open burning regulation submitted on December 7, 1976 is disapproved because of provisions therein which would interfere with the attainment and maintenance of national ambient air quality standards.

[38 FR 22474, Aug. 21, 1973, as amended at 43 FR 14964, Apr. 10, 1978; 43 FR 15424, Apr. 13, 1978; 47 FR 6830, Feb. 17, 1982]

§ 52.1026 Review of new sources and modifications.

The program to review operation and construction of new and modified major stationary sources in non-attainment areas is approved as meeting the requirements of Part D.

[45 FR 10775, Feb. 19, 1980]

§ 52.1027 Rules and regulations.

(a) *Part D—Conditional Approval.*

(b) *Non-Part D—No Action.* EPA is neither approving nor disapproving the following elements of the revisions identified in § 52.1020(C)(10):

(1) Intergovernmental consultation.

(2) Interstate pollution notification requirements.

(3) Public notification requirements.

(4) Conflict of Interest requirements.

(5) Permit fees.

[45 FR 10775, Feb. 19, 1980, as amended at 45 FR 59314, Sept. 9, 1980]

§ 52.1028 Maintenance of national standards.

(a) Pursuant to the requirements of § 51.110 (h) and (i), of this chapter, the Administrator, in agreement with the State of Maine, has identified no areas that have the potential for violation of the national ambient air quality standards within 10 years.

[40 FR 18734, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1029 Significant deterioration of air quality.

The program to review operation and construction of new and modified major stationary sources in attainment areas is approved as meeting the requirements of Part C.

[45 FR 6786, Jan. 30, 1980]

§ 52.1030 Control strategy: Sulfur oxides.

(a) The revision to Regulation 100.6 (Chapter 106) "Low Sulfur Fuel Regulation" for the Metropolitan Portland Air Quality Control Region, submitted by the Governor of Maine on August 25, 1977, is approved with the exception of paragraph 100.6.5(b) which allows the Commissioner of the Department of Environmental Protection to grant variances to Regulation 100.6.

[47 FR 948, Jan. 8, 1982]

§ 52.1031 EPA-approved Maine regulations.

The following table identifies the State regulations which have been submitted to and approved by EPA as revisions to the Maine State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.1020. To the extent that this table conflicts with §§ 52.1020, 52.1020 governs.

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
Chapter:		5/07/79	1/3/80	45 FR 6784	(c)(10)	PSD Plan Only.
100	Definitions Regulations.	12/24/79	2/19/80	45 FR 10766	(c)(11)	
		2/06/80				
101	Visible Emissions	10/10/79	2/17/82	47 FR 6829	(c)(17)	
102	Open Burning	1/31/72	5/31/72	37 FR 10842	(b)	
103	Fuel Burning Equipment Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
		1/24/83	2/26/85	50 FR 7770	(c)(19)	
104	Incinerator Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
105	General Process Source Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
106	Low Sulfur Fuel	1/31/72	5/31/72	37 FR 10842	(b)	
		2/08/78	1/08/82	47 FR 947	(c)(15)	Revised limits for Portland Peninsula only.
107	Sulfur Dioxide Emission Standards for Sulfite Pulp Mills.	1/31/72	5/31/72	37 FR 10842	(b)	

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
108	Emission License Regulation.	5/07/79	1/30/80	45 FR 6784	(c)(10)	PSD.
		12/24/79	2/19/80	45 FR 10766	(c)(11)	New Source Review.
109	Emergency Episode Regulation.	1/31/72	5/31/72	37 FR 10842	(b)	
110	Ambient Air Quality Standards.	5/07/79	1/30/80	45 FR 6784	(c)(10)	
111	Petroleum Liquid Storage Vapor Control.	5/07/79	2/19/80	45 FR 10766	(c)(11)	
112	Petroleum Liquids Transfer Recovery.		2/19/80	45 FR 10766	(c)(11)	
		5/07/79	3/5/82	47 FR 9462	(c)(16)	Irving Oil, Searsport exempted.
		7/22/86	2/2/87	52 FR 3117	(c)(22)	Bulk Gasoline Terminal Test methods.
113	Growth Offset Regulation.	5/07/79	2/19/80	45 FR 10766	(c)(11)	Part of New Source Review program.
		12/18/85	12/23/86	51 FR 45886	(c)(21)	Deletes Thomaston.
114	Classification of Air Quality Control Regions.	5/07/79	1/30/80	45 FR 6874	(c)(10)	

NOTE.—1. The regulations are effective statewide unless stated otherwise in comments section.

(Secs. 110(a) and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a) and 7601(a)))

[50 FR 3336, Jan. 24, 1985, as amended at 50 FR 7770, Feb. 26, 1985; 51 FR 45886, Dec. 23, 1986; 52 FR 3117, Feb. 2, 1987]

§ 52.1033 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas and the integral vistas identified in 40 CFR 81.437.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.27, including the provisions for protection of integral vistas, are hereby incorporated and made a part of the applicable plan for the State of Maine.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into the applicable plan for the State of Maine.

[52 FR 45138, Nov. 24, 1987]

Subpart V—Maryland

§ 52.1070 Identification of plan.

(a) Title of plans:

(1) "Plan for Implementation of Ambient Air Quality Standards in Cumberland, Maryland-Keyser, West Virginia, Interstate Air Quality Control Region."

(2) "Plan for Implementation of Ambient Air Quality Standards in the Central Maryland Intrastate Air Quality Control Region."

(3) "Plan for Implementation of Ambient Air Quality Standards in the Metropolitan Baltimore Intrastate Air Quality Control Region."

(4) "Plan for Implementation of Ambient Air Quality Standards in the Maryland portion of the National Capital Interstate Air Quality Control Region."

(5) "Plan for Implementation of Ambient Air Quality Standards in the Southern Maryland Intrastate Air Quality Control Region."

(6) "Plan for Implementation of Ambient Air Quality Standards in the Eastern Shore Intrastate Air Quality Control Region."

(b) The plans were officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory additions and errata to the plan submit-

ed on February 25, 1972, by the Mary-
nd Bureau of Air Quality Control.
(2) Clarification of emission data
ubmitted on March 3, 1972, by the
aryland Bureau of Air Quality Con-
rol.
(3) Final State emission limitations,
egulations 10.03.35-10.03.41 of the
aryland Air Pollution Control Regu-
ations, submitted on April 4, 1972, by
he Maryland Bureau of Air Quality
ontrol.
(4) Miscellaneous non-regulatory
orrections and additions to the plan
ubmitted on April 28, 1972, by the
aryland Bureau of Air Quality Con-
rol.
(5) Miscellaneous non-regulatory
orrections and additions to the plan
ubmitted on May 8, 1972, by the
aryland Bureau of Air Quality Con-
rol.
(6) Revision establishing unsuitable
ites for construction of power plants
ubmitted July 27, 1972, by the Mary-
nd Department of Natural Re-
ources.
(7) Transportation control plan for
etropolitan Baltimore and National
apital AQCR Submitted on April 16,
973, by the Governor.
(8) Amendments to the Maryland
ransportation Control Plans submit-
ed on May 5, 1973, by the Governor.
(9) Amendments to the Maryland
ransportation Control Plans submit-
ed on June 15, 1973, by the Governor.
(10) Amendments to the Maryland
ransportation Control Plans submit-
ed on June 22, 1973, by the Governor.
(11) Amendments to the Maryland
ransportation Control Plans submit-
ed on June 28, 1973, by the Governor.
(12) Amendments to the Maryland
lan for attainment and maintenance
f secondary SO_2 standard for Metro-
politan Baltimore AQCR submitted on
uly 31, 1973, by the Governor.
(13) Amendment to Maryland regu-
ations 10.03.38.04J and 10.03.39.04J
overing gasoline handling vapor con-
rol submitted on April 24, 1974, by
the Governor of Maryland.
(14) Request for regulations
0.03.38.06G(2) and 10.03.39.06G(2) to
e withdrawn from consideration sub-
mitted on November 29, 1974, by the
overnor of Maryland.

(15) Amendments to Maryland Regulations 10.03.36, 10.03.37, 10.03.39, 10.03.40 and 10.03.41; deleting subsection .04B(3), which requires the lowering of the allowable sulfur-in-fuel limitation to 0.5 percent submitted on December 11, 1974 by the Governor.

(16) Amendment to Sections .04J(1) and .04J(2) of Maryland Regulations 10.03.38 and 10.03.39 (vapor recovery, Stage I); submitted on April 24, 1974, and amended on July 1, 1975 by the Governor.

(17) Amendment to Sections .04B(1) and .04B(2) of Maryland Regulations 10.03.37, 10.03.40 and 10.03.41 (allowable sulfur content in fuel); submitted on July 1, 1975 by the Governor.

(18) Amendment to Maryland Regulation 10.03.38, deleting subsection .04B(3), which requires the lowering of the allowable sulfur-in-fuel limitation to 0.5 percent, submitted on December 11, 1974 by the Governor.

(19) Amendments to Sections .03 (Air Pollution Episode System), .06 (Test Methods) and .11 (Permits); and deletion of Section .04 (Prior Registration of Proposed Installations) of Maryland Regulation 10.03.35 (Regulations Governing Air Pollution Control in the State of Maryland); amendments to Sections .03 (Control of Particulate Emissions), .04 (Control and Prohibition of oxides of nitrogen emissions), and associated tables of Maryland Regulations 10.03.36, 10.03.37, 10.03.40, and 10.03.41 (Regulations Governing Air Pollution Control in the Cumberland-Keyser, Central Maryland, Southern Maryland, and Eastern Shore AQCRs); amendments to Sections .03 (Control and Prohibition of Particulate Emissions), .04 (Control and Prohibition of Hydrocarbons and Oxides of Nitrogen Emissions) and .06 (Control and Prohibition of Installations and Operations) and associated tables of Maryland Regulations 10.03.38 and 10.03.39 (Regulations Governing Air Pollution Control in the Metropolitan Baltimore and National Capital AQCRs); submitted on April 24, 1974 by the Governor.

(20) Amendments to Sections .01 (Definitions), .04 (Ambient Air Quality Standards (former Section .05 of Regulations)), 10.03.36 through 10.03.41 (Regulations Governing Control of Air

Pollution in the State of Maryland); amendments to Sections .01 (Control and Prohibition of Open Burning), .02 (Control and Prohibition of Particulate Emissions), .03 (Control and Prohibition of Sulfur Oxides, Hydrocarbons and Oxides of Nitrogen Emissions), and .06 (Control and Prohibition of Installations and Operations) of Maryland Regulations 10.03.36, 10.03.37, 10.03.40, and 10.03.41 (Regulations Controlling Air Pollution in the Cumberland-Keyser, Central Maryland, Southern Maryland and Eastern Shore AQCRs); amendments to Section .02 (Control and Prohibition of Visible Emissions), .03 (Control and Prohibition of sulfur oxides, hydrocarbons, and oxides of nitrogen emissions), and .06 (Control and Prohibition of Installations and Operations) of Maryland Regulations 10.03.38 and 10.03.39 (Regulations Controlling Air Pollution in the Metropolitan Baltimore and National Capital AQCRs); submitted on December 11, 1974 by the Governor.

(21) Amendments to Section .11 (Permits) of Maryland Regulation 10.03.35 (Regulations Governing Control of Air Pollution in the State of Maryland); amendments to Section .04 (Control and prohibition of sulfur oxides emissions) of Maryland Regulations 10.03.36, 10.03.37, 10.03.40 and 10.03.41 (Regulations Governing Air Pollution Control in the Cumberland-Keyser, Central Maryland, Southern Maryland and Eastern Shore AQCR's); deletion of Section .03D(1) (Control of particulate matter from grain drying installations) from Maryland Regulations 10.03.36, 10.03.37, 10.03.40 and 10.03.41; deletion of Section .03D (Control of particulate matter from grain drying installations) from Maryland Regulations 10.03.38 and 10.03.39 (Regulations Governing Air Pollution Control in the Metropolitan Baltimore and National Capital AQCR's) submitted by the Governor on July 1, 1975.

(22) A Consent Order for the Chalk Point power plant issued by the Circuit Court for Montgomery County on February 27, 1978.

(23) Amendments to Sections .01 (Definitions), .03 (Air Pollution Episode System), .06 (Test Methods) and .12 (Emission Test Methods); and deletion of Section .08 (Penalties and Plans for Compliance) of Regulation 10.03.35 (Regulations Governing Air Pollution Control in the State of Maryland); amendments to Table 1 (Emission Standards for New Fuel Burning Equipment) of Maryland Regulations 10.03.36 through 10.03.41; amendments to Section .04 (Control and Prohibition of Gas and Vapor Emissions) and .06 (Control and Prohibition of Installations and Operations; and deletion of Section. .03E (Process Weight Requirements) and .07 (Transition from Previous Regulations) of Maryland Regulation 10.03.38 (Regulation Governing Air Pollution Control in the Metropolitan Baltimore AQCR); amendments to Section .01 (Control of Open Fires) and .04 (Control of Gas and Vapor Emissions; and deletion of Sections .03E (Process Weight Requirements) and .07 (Transition from Previous Regulations) of Maryland Regulation 10.03.39 (Regulation Governing Air Pollution Control in the Maryland Portion of the National Capital Interstate AQCR) submitted on February 10, 1977 by the Governor.

(24) Amendments to Maryland Regulation 10.03.35 through 10.03.41 inclusive which supplement the English System measurement with equivalent metric units submitted on February 10, 1977 by the Governor.

(25) Consent Order dated July 28, 1978 between the Potomac Electric Power Company and the Department of Health and Mental Hygiene of the State of Maryland in the Circuit Court for Montgomery County (No. 49352—Equity) submitted on August 8, 1978 by Acting Governor Blair Lee.

(26) Consent Orders for Beall Jr./Sr. High School and Mount St. Mary's College issued by the Secretary of the Maryland Department of Health and Mental Hygiene on January 30, 1979 and March 8, 1979 respectively.

(27) Amendments to Sections .01, .07, and .11 of Maryland Regulation 10.18.01 as submitted on January 19, 1979 by the Governor.

(28) Amendments to Sections .03D, .03F, .03H, .06I of Maryland Regulation 10.18.04 and 10.18.05 as submitted on January 19, 1979 by the Governor.

(29) Variances from Maryland regulations 10.18.04.02(A), 10.18.04.03(B)(3), and 10.18.04.04(B)(1) relating to visible emissions, particulate matter from solid fuel burning equipment and prohibition of usage of fuel with sulfur content in excess of one percent by weight, respectively. The variance request was submitted on October 24, 1979 by the Governor of Maryland.

(30) Consent orders submitted by the Governor on July 16, 1975, November 18, 1977, and by the Administrator, Air Quality Programs on June 15, 1979 granting the Westvaco Corporation an exception to Regulation COMAR 10.18.02.04B.

(31)-(32) [Reserved]

(33) A consent order amending regulation 10.18.07, 10.18.07.02B, 10.18.07.03B(2)a, for the Firestone Plastics Co., Inc., Perryville, Maryland, submitted on December 1, 1978, by the Maryland Environmental Health Administration.

(34) Amendment to Maryland regulations 10.18.05.03(B)(2), 10.18.05.02(A), and 10.18.05.03(B)(1)(a) relating to relaxation of particulate emissions, visible emissions and waiving of particulate control equipment requirement for the Chalk Point Generating Station Unit #3. The amendment, a Secretarial Order, was submitted on August 13, 1979 by the State of Maryland.

(35) Variance from Maryland regulation 10.18.04.02(A) relating to visible emissions and allowing a maximum visible emission of 25% opacity. This variance expires on September 11, 1982. The variance request was submitted on September 27, 1979 by the State of Maryland.

(36) Amendments to Sections .01 (Definitions), .04 (Ambient Air Quality Standards), and .11 (Permits) of Maryland Regulation 10.18.01 (Regulations Governing Control of Air Pollution in the State of Maryland); and amendments to Section .02 (Control and Prohibition of Visible Emissions) of Maryland Regulations 10.18.04 and 10.18.05 (Regulations Governing Air Pollution Control in the Metropolitan Baltimore and National Capital AQCRS's) submitted by the Governor on September 26, 1979.

(37) Amendments to Section .04J(3)a and .04J(3)b (Organic Compounds) of Maryland Regulations 10.18.04 and 10.18.05; submitted on February 10, 1977 by the Governor.

(38) Deletion of Section .06G(2) (Control and Prohibition of Photochemically Reactive Organic Compounds from sources existing on or before February 12, 1974) of Maryland Regulations 10.18.04 and 10.18.05; submitted on December 10, 1979 by the Governor.

(39) Deletion of Sections .06G(1) and .06G(3) (Control and Prohibition of Photochemically Reactive Organic Materials From Sources Built or Modified after February 12, 1974) of Maryland Regulations 10.18.04 and 10.18.05 from the Maryland State Implementation Plan (SIP).

(40) Letter of January 21, 1980 from Maryland to EPA explaining the State's interpretation of the scope of coverage of Maryland Regulation 10.18.04.04J.

(41) Amendments to Sections .06 of Maryland Regulation 10.18.04 and 10.18.05 as submitted on January 19, 1979 by the Governor.

(42) Amendment to Section .01(y) of Maryland Regulation 10.18.01 as submitted on December 10, 1979 by the Governor.

(43) Amendments to Regulations 10.18.04 and 10.18.05; Sections .04J(1)c, .04J(1)d, .04J(1)e(i), .04J(1)f, .04J(1)g, .04J(1)h, .04J(1)i(i), .04J(3)d, .04J(4)a, .04J(4)b, and .04J(5) a through j; submitted on January 19, 1979, and amended on September 26, 1979 by the State of Maryland.

(44) A revision submitted by the State of Maryland on December 20, 1979 which is intended to establish an Ambient Air Quality Monitoring Network.

(45) Recodification of the Maryland Regulations submitted by the State of Maryland on May 22, 1980.

(46) Amendments to section .04D(4) of COMAR 10.18.04 and COMAR 10.18.05 establishing a revised sulfur oxides emissions limitation for all existing solid fuel-fired, cyclone type fuel burning equipment having an actual heat input in excess of 1,000 million Btu/hour; submitted on February 20, 1980 by the Governor.

(47) October 1, 1980 letter from George P. Ferreri, Maryland Office of Environmental Programs to James E. Sydnor, EPA, certifying that the Baltimore Gas & Electric Company's C. P. Crane Generating Station is the sole facility to which COMAR 10.18.04.04D(4) and 10.18.05.04D(4) would apply.

(48) A revision submitted by the State of Maryland on 9/10/80 consisting of a variance issued to the General Refractories Company of Baltimore, Maryland exempting the Company from the "No Visible Emissions" requirements of COMAR 10.18.04.02A for a period of three (3) years commencing 9/2/80.

(49) A revision submitted by the State of Maryland on November 3, 1980 consisting of a Consent Agreement (Order) between the State of Maryland and the Maryland Slag Company decreasing the particulate matter emission limitation for the Company.

(50) A revision submitted by the State of Maryland on October 24, 1979 consisting of amendments to the following regulations:

COMAR 10.18.01 as recodified in 40 CFR 52.1070(c)(45), 10.18.02 as recodified in 40 CFR 52.1070(c)(45), 10.18.03 as recodified in 40 CFR 52.1070(c)(45), 10.18.04 as recodified in 40 CFR 52.1070(c)(45), 10.18.05 as recodified in 40 CFR 52.1070(c)(45), 10.18.06 as recodified in 40 CFR 52.1070(c)(45), 10.18.07 as recodified in 40 CFR 52.1070(c)(45).

(51) A revision submitted by the State of Maryland on May 22, 1980, consisting of changes in definitions in sections 10.18.01.01 and revoking of obsolete regulations, COMAR 10.03.38.04 B(4) and 10.03.39.04 B(4).

(52) A revision submitted by the State of Maryland on April 24, 1974, consisting of changes in COMAR 10.03.35.06 A(1) and 10.03.35.06 A(3).

(53) A revision submitted by the State of Maryland on December 10, 1979, consisting of changes in Sections .01 and .11 of COMAR 10.18.01, and in Sections .05 and .07 of COMAR 10.18.02, 10.18.03, 10.18.04, 10.18.05, 10.18.06 and 10.18.07.

(54) A revision submitted by the State of Maryland on October 17, 1980, consisting of an exception to COMAR 10.18.06.02B for the Maryland Cup Corporation.

(55) A revision submitted by
State of Maryland on August 7, 1
consisting of an exception to COM
10.18.09.07A(2)(c) for the Readi
Whitehall Paperboard Company.

(56) A Secretarial order submit
by the State of Maryland on June
1981 consisting of a variance issued
the Potomac Electric Power Comp
at Dickerson, Maryland exempting
company from the "no visible en
sions" requirements of COM
10.18.09.05A(2) until five years fr
the date of approval by EPA.

(57) A Secretarial order submit
by the State of Maryland on July
1981 consisting of a various issued
the American Cyanamid Comp
Havre de Grace, Maryland from
"no visible emissions" requirement
COMAR 10.18.06.02B until July
1986.

(58) Amendments to COM
10.18.01, 10.18.06, 10.18.08, 10.18
10.18.11, 10.18.12, 10.18.13, 10.18
10.18.21, and Technical Memorand
TM-116 (amended November 1980
submitted by the Governor on May
1981.

(59) Addition of Maryland Reg
tion 10.18.06.14 (Control of
sources) which incorporates by re
ence the Federal prevention of sig
cant deterioration (PSD) requireme
set forth in 40 CFR 52.21; submi
on June 24, 1981 by the Governor.

(60) A State Implementation
for the control of lead (Pb) emiss
submitted on October 23, 1980 by
Governor.

(61) A letter containing supplem
tal clarifying information with res
to the State's control strategy dem
stration; submitted on July 27, 198
the Maryland Air Management
ministration.

(62) A revised Secretarial order
trolling lead emissions from
Mobay Chemical Corporation's
manufacturing plant in Baltim
Maryland; submitted December
1981 by the Maryland Air Man
ment Administration.

(63) A revision submitted by
State of Maryland on October 8,
detailing a plan for satisfying requ
ments of sections 121 and 127 of
Clean Air Act Amendments of 1977

(64) A revision submitted by the State of Maryland on November 18, 1981, consisting of a Modified Amended Consent Order for Potomac Electric Power Company's Chalk Point generating station.

(65) A Secretarial order stating the terms under which a construction permit for a new source in a nonattainment area will be issued by the Northeast Maryland Waste Disposal Authority to Wheelabrator-Frye, Inc. to construct and operate a municipal incinerator; submitted on December 22, 1981 by the Director, Maryland Air Management Administration, Department of Health and Mental Hygiene.

(66) An amendment to Code of Maryland Air Regulation (COMAR) 10.18.08.05A(1) revising the method for calculating particulate emissions from incinerators located in the Cumberland-Keyser, Central Maryland, Southern Maryland and Eastern Shore Air Quality Control Regions (AQCR's), submitted on January 11, 1982 by the Governor.

(67) Code of Maryland Air Regulations (COMAR) 10.18.10 (Control of Iron and Steel Production Installations); Technical Memorandum AMA-TM 81-04: Amendment to AMA-TM 73-116; Amendments to COMAR 10.18.01.01 (General Administrative Regulations—Definitions) and COMAR 10.18.06.02 (General Emission Standards, Prohibitions and Restriction); and a New Amended Plan for Compliance for the Bethlehem Steel Corporation's Sparrows Point, Maryland Plant; submitted on August 11, 1981 by the Governor.

(68) The revised Health-Environmental Article of the Annotated Code of Maryland, submitted on July 2, 1982 by the Director, Maryland Air Management Administration, Department of Health and Mental Hygiene.

(69) A revision submitted by the State of Maryland on November 15, 1982, consisting of an extension to the previous visible emission exception to COMAR 10.18.01.08 (Exception to Visible Emission Requirements) for the Maryland Cup Corporation. The exception is renewed until September 11, 1987.

(70) A modified Secretarial order stating the terms under which a construction permit for a new source in a nonattainment area will be issued to Wheelabrator-Frye, Inc. who will construct, own, and operate a municipal incinerator; submitted on March 17, 1983 by the Director, Maryland Air Management Administration, Department of Health and Mental Hygiene.

(71) Plan Revision, excluding the schedules for additional VOC controls and the required Vehicle Emissions Inspection Program, providing for attainment of the Ozone and Carbon Monoxide Standards, submitted by the State on July 1, 1982 for the Metropolitan Baltimore Intrastate Air Quality Control Region (AQCR) and November 5, 1982 for the Maryland portion of the National Capital Interstate AQCR. On May 4, 1983, and June 13 and 16, 1983, the State submitted amended I/M regulations. A revised schedule for the adoption of controls for VOC sources was submitted on December 23, 1983.

(72) Amendments to Code of Maryland Regulations (COMAR) 10.18.01, .02, .06, .11, .13, and .21 which apply to air quality control areas III and IV, submitted on August 22, 1983.

(73) A revision submitted by the State of Maryland on July 12, 1983, consisting of a plan for Compliance for the J.L. Clark Manufacturing Company in Havre De Grace.

(74) A Consent Order granting the Westvaco Corporation a sulfur dioxide (SO_2) emissions limitation which is equivalent to COMAR 10.18.09. 07(A)(1)(a); submitted on September 7, 1983, as amended on February 7, 1984 by the Maryland Air Management Administration.

(75) Revision submitted by the State of Maryland on December 13, 1983 consisting of a Plan for Compliance for the General Motors Corporation, GM Assembly Division, Baltimore City Plant.

(76) Revision submitted by the State of Maryland on December 13, 1983 consisting of a Plan for Compliance for the American Can Company, Baltimore City.

(77) Revision submitted by the State of Maryland on December 13, 1983 consisting of a Plan for Compliance for the National Can Corporation, Baltimore County.

(78) Revision submitted by the State of Maryland on April 6, 1984 consisting of a Plan for Compliance for the Crown Cork and Seal Company, Inc., Baltimore City.

(79) Revision submitted by the State of Maryland on April 6, 1984 consisting of a Plan for Compliance for the Continental Can Company, Baltimore City.

(80) A revision submitted by the State of Maryland on January 26, 1984, and May 25, 1984 consisting of amendments to change the State's stationary source stack testing procedures document and to correct a State procedural defect relating to procedures for observing visible emissions from iron and steel facilities.

(81) [Reserved]

(82) Revisions to the Code of Maryland Regulations (COMAR) were submitted by the Director of the Maryland Air Management Administration of March 14, 1984.

(i) Incorporation by reference. (A) Amendments to COMAR 10.18.02 (Permits, Approvals and Registration) and COMAR 10.18.08 (Control of Incinerators), as published in the Maryland Register on February 3, 1984 (proposed on November 11, 1983).

(ii) Additional material. (A) Letter from the MAMA dated November 29, 1984 clarifying that permit applications would only be accepted from incinerators subject to the hazardous waste facility regulations and that hazardous waste facility permits would be treated as air quality permits for all purposes.

(83) Revisions to the Code of Maryland Regulations (COMAR) were submitted by the Director of the Maryland Air Management Administratio on March 14, 1984.

(i) Incorporation by reference.

(A) Amendments to COMA 10.18.09 (Control of Fuel Burnin Equipment and Stationary Intern Combustion Engines), as published the Maryland Register on March 1984.

(ii) Additional information.

(A) Letter from MAMA dated N vember 29, 1984 clarifying that permit cannot be issued for th sources unless they undergo ne source review as under COMA 10.18.02 (Permits, Approvals and Re istration).

(84) [Reserved]

(85) Revisions to the Ozone Attai ment Plan were submitted by the D rector, Maryland Air Management A ministration, on August 1, 1984.

(i) Incorporation by reference.

(A) State Secretarial Order for th Monarch Manufacturing Company l cated in Belcamp, Maryland, allowi interim VOC emission standards to used by the Company until source-sp cific regulations are developed MAMA. The Company shall come in compliance with the source-specif regulations within six months aft their adoption. The Secretarial Ord was approved on July 23, 1984.

[37 FR 10870, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER tations affecting § 52.1070, see the List CFR Sections Affected in the Finding Ai section of this volume.

§ 52.1071 Classification of regions.

The Maryland plans were evaluat on the basis of the following classific tions:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozon
Cumberland-Keyser Interstate	I	I	III	III	
Central Maryland Intrastate	II	II	III	III	
Metropolitan Baltimore Intrastate	I	I	I	I	
National Capital Interstate	I	I	III	I	
Southern Maryland Intrastate	III	III	III	III	
Eastern Shore Intrastate	II	III	III	III	

[37 FR 10870, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 53475, Aug. 1
1980]

§ 52.1072 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Maryland's plan for attainment and maintenance of the secondary standards for sulfur oxides in the Metropolitan Baltimore Intrastate Region.

(b) The Administrator hereby extends for two years the attainment dates for the national standards for carbon monoxide and photochemical oxidants in the Maryland portion of the National Capital Interstate Region and in the Metropolitan Baltimore Intrastate Region.

(c) The Administrator hereby extends until December 31, 1987 the attainment date for the national standard for O_3 in the Metropolitan Baltimore and the Maryland portion of the National capital nonattainment areas.

(d) The Administrator hereby extends the attainment date for the national standard for CO in the Metropolitan Baltimore and the Maryland portion of the National Capital nonattainment areas to January 1, 1984.

(e) The Administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submission of Maryland's plan for the attainment and maintenance of the secondary standards for particulate matter in the Baltimore nonattainment area.

[37 FR 10870, May 31, 1972, as amended at 38 FR 34247, Dec. 12, 1973; 45 FR 53475, Aug. 12, 1980]

§ 52.1073 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Maryland's plans for the attainment and maintenance of the national standards.

(b) With respect to the strategies submitted on April 16, May 5, June 15, June 22, June 28, July 9, 1973 and July 1, 1975, the Administrator approves the measures for the National Capital region for dry cleaning solvent use, and gasoline vapor recovery with the exceptions set forth in §§ 52.1074, 52.1077, 52.1080, 52.1082, and 52.1086.

(c) With respect to the strategies submitted on April 16, June 15, June 28, and July 9, 1973 and July 1, 1975, the Administrator approves the measures for the Metropolitan Baltimore Intrastate Region for dry cleaning solvent use and gasoline vapor recovery with the exceptions set forth in §§ 52.1074, 52.1077, 52.1080, 52.1082, and 52.1101.

(d) With the exceptions set forth in this subpart, the Administrator approves the amendment to Regulation 10.18.01 sections .01, .07, and .11, Regulation 10.18.04 and 10.18.05 section .03D, .03F, .03H, .06I of Maryland's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that portions of the plan, as submitted January 19, 1979, satisfy the requirements of Part D, Title 1, of the Clean Air Act as amended in 1977.

In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[38 FR 33716, Dec. 6, 1973, as amended at 45 FR 53475, Aug. 12, 1980; 47 FR 20128, May 11, 1982]

§ 52.1074 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since section 698(f) of the Maryland Air Quality Control Act could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 698(f) is disapproved.

[39 FR 34536, Sept. 26, 1974, and 47 FR 20128, May 11, 1982, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.1075—52.1076 [Reserved]

§ 52.1077 Source surveillance.

(a) The requirements of § 51.212 of this chapter are not met since the plans do not provide specific procedures for stationary sources to be periodically tested.

[37 FR 10870, May 31, 1972, as amended at 47 FR 20128, May 11, 1982; 51 FR 40677, Nov. 7, 1986]

§ 52.1078 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Maryland's plans, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Cumberland-Keyser Interstate	a	a	a	a	d	d	d
(a) Election District No. Blake, Md.	*d*	*d*	a	a	d	d	d
(b) City of Cumberland	*a*	*a*	*a*	*a*	d	e	d
(c) City of Hagerstown	*a*	*a*	*a*	*a*	d	e	d
(d) Washington County	*a*	*a*	*a*	*a*	d	d	*a*
(e) Remainder of AQCR	*a*	*a*	*a*	*a*	d	d	d
Central Maryland Interstate	*a*	*a*	c	*a*	d	d	d
Metropolitan Baltimore Intrastate			*a*	d	*a*	f	g
(a) Portions as defined in 40 CFR 81.321	e	b	*a*	d	*a*	f	g
(b) Remainder of AQCR	*a*	*a*	*a*	b	*a*	5/31/77	5/31/77
National Capital Interstate	*a*	*a*	*a*	*a*	d	f	g
Southern Maryland Intrastate	d	d	d	d	d	d	d
Eastern Shore Intrastate	c	*a*	d	d	d	d	d

NOTE: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specifi date or the date provided was not acceptable.

a. July 1975.
b. 18-month extension granted.
c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards or area is unclassified.
e. December 31, 1982.
f. January 1, 1984.
g. December 31, 1987.

[37 FR 10871, May 31, 1972, as amended at 38 FR 12702, May 14, 1973; 38 FR 33717, Dec. 6 1973; 38 FR 34248, Dec. 12, 1973; 39 FR 16346, May 8, 1974; 39 FR 22947, June 25, 1974; 4 FR 53475, Aug. 12, 1980]

§ 52.1079 [Reserved]

§ 52.1080 Compliance schedules.

(a) The requirements of § 51.262(a) this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

[38 FR 16145, June 20, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1080, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1081 [Reserved]

§ 52.1082 Rules and regulations.

(a) The requirements of § 51.281 of this chapter are not met for the National Capital Interstate Region be cause regulations necessary to imple ment proposed stationary contro measures for gas handling and dr cleaning losses have not been adopted Substitute regulations are promulgat ed in §§ 52.1086, 52.1087, and 52.1088.

(b) The requirements of § 51.281 o this chapter are not met for the Met ropolitan Baltimore Region becaus adopted regulations to control ga handling and dry cleaning emission measures referred to in § 52.1073(d were not submitted in time prior t this promulgation. Substitute regula tions for gas handling and dry clear ing emissions are promulgated i §§ 52.1101, 52.1102, and 52.1107.

[38 FR 33718, Dec. 6, 1973, as amended at 4 FR 14557, Mar. 13, 1979; 51 FR 40677, No 7, 1987]

§§ 52.1083—52.1085 [Reserved]

§ 52.1086 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Maryland portion of the National Capital Interstate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight of the organic compounds in the displaced vapor.

(2) If a "vapor-tight vapor return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system, and so constructed as to anticipate compliance with § 52.1087 of this chapter.

(3) The vapor-laden delivery vessel shall be subject to the following conditions:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) The vapor-laden delivery vessel may be refilled only at facilities equipped with a vapor recovery system or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of 1,000 gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage containers served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfers made to storage tanks equipped with floating roofs or their equivalent.

(4) Any stationary container at any facility where the monthly average throughput (1/12 of the total throughput for the preceding twelve months) exceeds 20,000 gallons per month and which is subject to Maryland regulation 10.03.39.04J(2)(e) (1) and (2).

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) June 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) March 1, 1975—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) May 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) May 31, 1977. Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) Any gasoline dispensing facility subject to this section which installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section which installs a storage tank after May 31, 1977, shall comply with the requirements of paragraph (c) of thi section at the time of installation.

[38 FR 33719, Dec. 6, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER c tations affecting § 52.1086, see the List c CFR Sections Affected in the Finding Aid section of this volume.

§ 52.1087 Control of evaporative losse from the filling of vehicular tanks.

(a) "Gasoline" means any petroleur distillate having a Reid vapor pressur of 4 pounds or greater.

(b) This section is applicable in th Maryland portion of the National Capital Interstate AQCR.

(c) A person shall not transfer gasoline to an automotive fuel tank from gasoline dispensing system unless th transfer is made through a fill nozzl designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from th automotive fuel tank to a system wherein at least 90 percent by weigh of the organic compounds in displace vapors are recovered; and

(3) Prevent automotive fuel tan overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section may consist o a vapor-tight return line from the fil nozzle-filler neck interface to the dispensing tank or to an adsorption, absorption, incineration, refrigeration condensation system or its equivalent

(e) Components of the systems required by § 52.1086 may be used fo compliance with paragraph (c) of thi section.

(f) If it is demonstrated to the satisfaction of the Administrator that it i impractical to comply with the provisions of paragraph (c) of this sectio as a result of vehicle fill neck configuration, location, or other design features of a class of vehicles, the provisions of this section shall not apply t such vehicles. However, in no cas shall such configuration exempt an gasoline dispensing facility from installing and using in the most effectiv manner a system required by paragraph (c) of this section.

(g) Every owner or operator of a gasoline dispensing system subject to this section shall comply with the following compliance schedule.

(1) January 1, 1975—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) March 1, 1975—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) May 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) May 1, 1977—Complete on-site construction installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 1, 1975. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(j) Any gasoline dispensing facility subject to this section which installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section which installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 33719, Dec. 6, 1973, as amended at 39 FR 4881, Feb. 8, 1974; 39 FR 21053, June 18, 1974]

EDITORIAL NOTE: The compliance dates given in paragraphs (g)(1) through (3) of § 52.1087 were deferred indefinitely at 40 FR 1127, Jan. 6, 1975.

§ 52.1088 Control of dry cleaning solvent evaporation.

(a) Definitions:

(1) "Dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(2) "Organic solvents" means organic materials, including diluents and thinners, which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(3) "Photochemically reactive solvent" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, as applied to the total volume of solvent.

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenyenl: 8 percent;

(iii) A combination of ethylbenyene or ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

(b) This section is applicable to all sources located in the Maryland portion of the National Capital Interstate Air Quality Control Region and which are not subject to the provisions of Maryland Regulation 10.03.39 .04J(3)d.

(c) No person shall operate a dry cleaning operation using other than perchloroethylene, 1,1,1-trichloroethane, or saturated halogenated hydrocarbons unless the uncontrolled organic emissions from such operation are reduced at least 85 percent: *Provided, That* dry cleaning operations emitting less than 8 pounds per hour and less than 40 pounds per day of uncontrolled organic materials are exempt from the requirement of this section.

(d) If incineration is used as a control technique, 90 percent or more of the carbon in the organic emissions being incinerated must be oxidized to carbon dioxide.

(e) Any owner or operator of a source subject to this section shall achieve compliance with the requirements of paragraph (c) of this section by discontinuing the use of photochemically reactive solvents no later than January 31, 1974, or by controlling emissions as required by paragraphs (c) and (d) of this section no later than May 31, 1975.

[38 FR 33720, Dec. 6, 1973, as amended at 44 FR 14557, Mar. 13, 1979]

§§ 52.1089—52.1100 [Reserved]

§ 52.1101 Gasoline transfer vapor control.

(a) Definitions:

(1) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Metropolitan Baltimore Intrastate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight of the organic compounds in the displaced vapor.

(2) If a "vapor-tight vapor return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system, and so constructed as to anticipate compliance with § 52.1102.

(3) The vapor-laden delivery vessel shall be subject to the following conditions:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) The vapor-laden delivery vessel may be refilled only at facilities equipped with a vapor recovery system or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of 1,000 gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage containers served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfers made to storage tanks equipped with floating roofs or their equivalent.

(4) Any stationary container at any facility where the monthly average throughput (1/12 of the total throughput for the preceding twelve months) exceeds 20,000 gallons per month and which is subject to Maryland regulation 10.03.38.04J(2)(e)(1) and (2).

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) *June 1, 1974.* Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) *March 1, 1975.* Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) *May 1, 1975.* Initiate on-site construction or installation of emission control equipment.

(4) *February 1, 1976.* Complete on-site construction or installation of emission control equipment.

(5) *May 31, 1977.* Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) Any gasoline dispensing facility subject to this section which installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section which installs a storage tank after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 34252, Dec. 12, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1101, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1102 Control of evaporative losses from the filling of vehicular tanks.

(a) Definitions:

(1) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Metropolitan Baltimore Intrastate AQCR.

(c) A person shall not transfer gasoline to an automotive fuel tank from a gasoline dispensing system unless the transfer is made through a fill nozzle designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from the automotive fuel tank to a system wherein at least 90 percent by weight of the organic compounds in displaced vapors are recovered; and

(3) Prevent automotive fuel tank overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section can consist of a vapor-tight return line from the fill nozzle-filler neck interface to the dispensing tank or to an adsorption, absorption, incineration, refrigeration-condensation system or its equivalent.

(e) Components of the systems required by § 52.1101(c) can be used for compliance with paragraph (c) of this section.

(f) If it is demonstrated to the satisfaction of the Administrator that it is impractical to comply with the provisions of paragraph (c) of this section as a result of vehicle fill neck configuration, location, or other design features of a class of vehicles, the provisions of this section shall not apply to such vehicles. However, in no case shall such configuration exempt any gasoline dispensing facility from installing and using in the most effective manner a system required by paragraph (c) of this section.

(g) Every owner or operator of a gasoline dispensing system subject to this section shall comply with the following compliance schedule.

(1) *January 1, 1975.* Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with provisions of paragraph (c) of this section.

(2) *March 1, 1975.* Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to ac
complish emission control.

(3) *May 1, 1975.* Initiate on-site con
struction or installation of emissio
control equipment.

(4) *May 1, 1977.* Complete on-sit
construction or installation of emi
sion control equipment or proce
modification.

(5) *May 31, 1977.* Assure final com
pliance with the provisions of par
graph (c) of this section.

(6) Any owner or operator of source
subject to the compliance schedule
this paragraph shall certify to the A
ministrator, within 5 days after th
deadline for each increment
progress, whether or not the require
increment of progress has been met.

(h) Paragraph (g) of this sectio
shall not apply:

(1) To a source which is presently
compliance with the provisions
paragraph (c) of this section an
which has certified such compliance
the Administrator by January 1, 197
The Administrator may request wha
ever supporting information he consi
ers necessary for proper certification.

(2) To a source for which a compl
ance schedule is adopted by the Stat
and approved by the Administrator.

(3) To a source whose owner or ope
ator submits to the Administrator b
June 1, 1974, a proposed alternati
schedule. No such schedule may pr
vide for compliance after May 3
1977. Any such schedule shall provid
for certification to the Administrat
within 5 days after the deadline f
each increment therein, as to wheth
or not that increment has been met.
promulgated by the Administrato
such schedule shall satisfy the r
quirements of this paragraph for th
affected source.

(i) Nothing in this section shall pr
clude the Administrator from promu
gating a separate schedule for an
source to which the application of th
compliance schedule in paragraph (
of this section fails to satisfy the r
quirements of § 51.15 (b) and (c)
this chapter.

(j) Any gasoline dispensing facilit
subject to this section which installs
gasoline dispensing system after th
effective date of this section sha
comply with the requirements of par

graph (c) of this section by May 31, 1977 and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section which installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 34253, Dec. 12, 1973, as amended at 39 FR 4881, Feb. 8, 1974; 39 FR 21053, June 18, 1974]

EDITORIAL NOTE: The compliance dates given in paragraphs (g)(1) through (3) of § 52.1102 were suspended indefinitely at 40 FR 1127, Jan. 6, 1975.

§§ 52.1103—52.1106 [Reserved]

§ 52.1107 Control of dry cleaning solvent evaporation.

(a) Definitions:

(1) "Dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(2) "Organic solvents" means organic materials, including diluents and thinners, which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(3) "Photochemically reactive solvent" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, as applied to the total volume of solvent.

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cycloolefinic type of unsaturation; 5 percent;

(ii) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenzene: 8 percent;

(iii) A combination of ethylbenzene or ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

(b) This section is applicable to all sources located in the Metropolitan Baltimore Intrastate Air Quality Control Region and which are not subject to the provisions of Maryland Regulations 10.03.38 .04J(3)d.

(c) No person shall operate a dry cleaning operation using other than perchloroethylene, 1,1,1-trichloroethane, or saturated halogenated hydrocarbons unless the uncontrolled organic emissions from such operation are reduced at least 85 percent; *Provided*, That dry cleaning operations emitting less than 8 pounds per hour and less than 40 pounds per day of uncontrolled organic materials are exempt from the requirement of this section.

(d) If incineration is used as a control technique, 90 percent or more of the carbon in the organic emissions being incinerated must be oxidized to carbon dioxide.

(e) Any owner or operator of a source subject to this section shall achieve compliance with the requirements of paragraph (c) of this section by discontinuing the use of photochemically reactive solvents no later than May 31, 1974, or by controlling emissions as required by paragraphs (c) and (d) of this section by May 31, 1974.

[38 FR 34255, Dec. 12, 1973, as amended at 44 FR 14557, Mar. 13, 1979]

§§ 52.1108—52.1112 [Reserved]

§ 52.1113 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met, since sections 10.03.35.11I and 10.03.35.10A of the Maryland Regulations governing the control of Air Pollution could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, regulations 10.03.35.11I and 10.03.35.10A are disapproved.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55329, Nov. 28, 1975; 52 FR 40676, Nov. 7, 1987]

§ 52.1114 [Reserved]

§ 52.1115 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met since the State neither identified areas of the State that have the potential for violation of air quality standards within 10 years nor provided a justification that there are no such areas in the State.

(b) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Baltimore Air Quality Maintenance Area:

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

Anne Arundel County, Baltimore County, Carroll County, Harford County, Howard County, Baltimore City.

(2) National Capital Interstate Air Quality Maintenance Area (Maryland Portion).

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Montgomery County, Prince Georges County.

(3) Potomac River Basin Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Allegany County, Garrett County, In Washington County, Hagerstown City.

[40 FR 41950, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1116 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) The following provisions of 40 CFR 52.21 are hereby incorporated and made a part of the applicable State plan for the State of Maryland.

(1) Definition of federally enforceable (40 CFR 52.21(b)(17)),

(2) Exclusions from increment consumption (40 CFR 52.21(f)(1)(v), (3), (4)(i)),

(3) Redesignation of areas (40 CFR 52.21(g) (1), (2), (3), (4), (5), and (6)),

(4) Approval of alternate models (40 CFR 52.21(l)(2)),

(5) Disputed permits or redesignation (40 CFR 52.21(t), and

(6) Delegation of Authority (40 CFR 52.21(u)(1), (2)(ii), (3), and (4)).

[45 FR 52741, Aug. 7, 1980, and 47 FR 7835, Feb. 23, 1982]

§ 52.1117 Control strategy: Sulfur oxides.

(a) [Reserved]

(b) The requirements of § 51.112(a) of this chapter are not met because the State did not submit an adequate control strategy demonstration to show that the Maryland Regulation 10.03.36.04B (1) and (2) would not interfere with the attainment and maintenance of the national sulfur dioxide standards.

[40 FR 56889, Dec. 5, 1975, as amended at 41 FR 8770, Mar. 1, 1976; 41 FR 54747, Dec. 15, 1976; 51 FR 40676, Nov. 7, 1986]

Subpart W—Massachusetts

§ 52.1120 Identification of plan.

(a) Title of plan: "Plan for Implementation, Maintenance, and Enforcement of National Primary and Secondary Ambient Air Quality Standards."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Emergency episode regulations submitted on February 22, 1972, by the Bureau of Air Quality Control, Massachusetts Department of Public Health.

(2) Miscellaneous non-regulatory changes to the plan, wording changes in regulations 2.5 and 2.1 and clarification of Regulations 2.5.1 through 2.5.4 submitted on April 27, 1972, by the Division of Environmental Health, Massachusetts Department of Public Health.

(3) Miscellaneous non-regulatory additions to the plan submitted on May 5, 1972, by the Bureau of Air Quality Control, Massachusetts Department of Public Health.

(4) Miscellaneous changes affecting regulations 2.1, 2.5, 4.2, 4.5.1, 5.6.1, 6.1.2, 6.3.1, 8.1.6, 9.1, 15.1, 51.2, 52.1 and 52.2 of the regulations for all six Air Pollution Control Districts submitted on August 28, 1972 by the Governor.

(5) Letter of concurrence on AQMA identifications submitted on July 23, 1974, by the Governor.

(6) Revision to Regulation No. 5, increasing allowable sulfur content of fuels in the Boston Air Pollution Control District submitted on July 11, 1975, by the Secretary of Environmental Affairs, and on April 1, 1977 and April 20, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(7) Revision to Regulation 50—Variances, Regulations for Control of Air Pollution in the six Massachusetts Air Pollution Control Districts, submitted by letter dated November 14, 1974, by the Governor.

(8) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Merrimack Valley Air Pollution Control District submitted on January 28, 1976 by the Secretary of Environmental Affairs and on August 22, 1977 by the Commissioner of the Department of Environmental Quality Engineering, and additional technical information pertinent to the Haverhill Paperboard Corp., Haverhill, Mass., submitted on December 30, 1976 by the Secretary of Environmental Affairs.

(9) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Pioneer Valley Air Pollution Control District submitted on July 22, 1976 by the Secretary of Environmental Affairs and on August 22, 1977 by the Commissioner of the Department of Environmental Quality Engineering, and additional technical information pertinent to Deerfield Specialty Papers, Inc., Monroe, Mass., submitted on December 27, 1977 by the Commissioner of the Massachusetts Depart-

ment of Environmental Quality Engineering.

(10) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Central Massachusetts Air Pollution Control District submitted on June 25, 1976 by the Secretary of Environmental Affairs and on August 22, 1977 by the Commissioner of the Department of Environmental Quality Engineering.

(11) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Central Massachusetts Air Pollution Control District (revised and adopted by the Massachusetts Department of Environmental Quality Engineering on March 29, 1976, with specific provisions for the City of Fitchburg) submitted on June 25, 1976, by the Secretary of Environmental Affairs.

(12) A revision to Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Southeastern Massachusetts Air Pollution Control District, submitted on December 30, 1976 by the Secretary of Environmental Affairs and on January 31, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(13) A revision to Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Berkshire Air Pollution Control District, submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on April 14, 1977, and additional technical information submitted on August 11, 1978, pertaining to the Schweitzer Division, Kimberly-Clark Corporation, Columbia Mill, Lee, and on August 31, 1978, pertaining to Crane and Company, Inc., Dalton.

(14) Revisions to "Regulations for the Prevention and/or Abatement of Air Pollution Episode and Air Pollution Incident Emergencies," submitted on September 15, 1976 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(15) A revision to Regulation 2.5, Compliance with Emission Limitations, and to Regulation 16, Reduction of Single Passenger Commuter Vehicle Use, for the Pioneer Valley Air Pollution Control District, submitted on May 20, 1977, by the Acting Commissioner of the Executive Office of Environmental Affairs, Department of Environmental Quality Engineering.

(16) Revision to regulation 7 anc regulation 9, submitted on Decembe 9, 1977, by the Commissioner of th Massachusetts Department of Environmental Quality and Engineering.

(17) Revision to Regulations 31 CMR 7.05, Sulfur-in-Fuel, and 31 CMR 7.06, Visible Emissions, allowin burning of a coal-oil slurry at Nev England Power Company, Salen Harbor Station, Massachusetts, submitted on July 5, 1978 by the Commissioner, Massachusetts Department o Environmental Quality Engineerin and an extension to 310 CMR 7.06 *Visible Emissions*, submitted on December 28, 1979.

(18) Revision to Regulation 7.02(11 (formerly Regulation 2.5.3)—Emissior Limitation to Incinerators, submittec February 1, 1978 by the Commissione of the Massachusetts Department o Environmental Quality Engineering.

(19) The addition of Regulation 7.17 for the Southeastern Massachusett Air Pollution Control District, Coa Conversion—Brayton Point Station New England Power Company, submitted by the Commissioner of th Massachusetts Department of Environmental Quality Engineering o September 7, 1978. Compliance with this revision shall be determined b methods consistent with New Sourc Performance Standards, proposed Tes Method 19, as stated in a letter datec February 8, 1979 from Kenneth Hagg of the Massachusetts Department o Environmental Quality Engineering t Frank Ciavattieri of the Environmental Protection Agency.

(20) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) "Sulfur Conten of Fuels and Control Thereof" and a revision for the Metropolitan Bosto APCD, and Merrimack Valley APCD submitted on December 28, 1978, by the Commissioner of the Massachusetts Department of Environmenta Quality Engineering.

(21) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1), "Sulfur Content of Fuels and Control Thereof"

and a revision to Regulation 310 CMR 7.05(4) "Ash Content of Fuels" for the Pioneer Valley Air Pollution Control District, submitted on January 3, 1979 by the Acting Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(22) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1), "Sulfur Content of Fuels and Control Thereof" for the Southeastern Massachusetts APCD, submitted on January 31, 1979 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(23) A revision to Regulation 310 CMR 7.05(4) "Ash Content of Fuels" for the Metropolitan Boston Air Pollution Control District, submitted on July 20, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(24) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) "Sulfur Content of Fuels and Control Thereof" for the Central Massachusetts APCD, submitted on March 2, 1979 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering, and a revision removing the seasonal restriction in Fitchburg for Fitchburg Paper Company (55 meter stacks only) and James River-Massachusetts submitted on September 28, 1979 by the Commissioner.

(25) On March 30, 1979 and on April 23, 1979 the Commissioner of the Massachusetts Department of Environmental Quality Engineering submitted the non-attainment area plan for Total Suspended Particulates (TSP) in Worcester, miscellaneous statewide regulation changes, and an extension request for the attainment of TSP secondary standards for areas designated non-attainment as of March 3, 1978.

(26) On May 3, 1979, August 7, 1979, and April 17, 1980, the Commissioner of the Massachusetts Department of Environmental Quality Engineering submitted a revision entitled "Massachusetts Implementation Plan, Amended Regulation—All Districts, New Source Review Element," relating to construction and operation of major new or modified sources in non-attainment areas.

(27) Revisions to Regulation 310 CMR 7.07, Open Burning, submitted on September 28, 1979 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(28) Revision to the state ozone standard and adoption of an ambient lead standard was submitted by Thomas F. McLoughlin, Acting Commissioner of the Department of Environmental Quality Engineering on August 21, 1979.

(29) A revision varying the provisions of Regulation 310 CMR 7.04(5), Fuel Oil Viscosity, for Cambridge Electric Light Company's Kendall Station, First Street, Cambridge, and Blackstone Station, Blackstone Street, Cambridge, submitted on December 28, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(30) Attainment plans to meet the requirements of Part D for carbon monoxide and ozone and other miscellaneous provisions were submitted by the Governor of Massachusetts on December 31, 1978 and on May 16, 1979 by the Acting Commissioner of the Department of Environmental Quality Engineering. Supplemental information was submitted on September 19, November 13 and December 7, 1979; and March 20 and April 7, 1980 by DEQE.

(31) A temporary variance to the Provisions of Regulation 310 CMR 7.05, Sulfur Content of Fuels and Control Thereof, for Seaman Paper Company, Otter River. Submitted on March 20, 1980 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(32) A revision to Regulation 7.05(1) "Sulfur Content of Fuels and Control Thereof" for the Metropolitian Boston APCD submitted on November 27, 1979 by the Commissioner of the Department of Environmental Quality Engineering.

(33) A revision to Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) "Sulfur Content of Fuels and Control Thereof" for the Pioneer Valley Air Pollution Control District submitted by the Commissioner of the Massachusetts Department of Environmental

Quality Engineering on March 2, 1979 and May 5, 1981.

(34) A revision to Regulation 7.05(1) "Sulfur Content of Fuels and Control Thereof" for the Metropolitan Boston APCD submitted on April 25, 1980 by the Commissioner of the Department of Environmental Quality Engineering.

(35) On January 5, 1981, the Acting Director of the Division of Air Quality Control, Massachusetts Department of Environmental Quality Engineering submitted a revision entitled "Appendix J Transportation Project Level Guidelines" relating to policy guidance on the preparation of air quality analysis for transportation projects.

(36) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR Part 58, was submitted by the Commissioner of the Department of Environmental Quality Engineering on January 28, 1980.

(37) A revision submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on September 12, 1980 adding a new regulation 310 CMR 7.19 "Interim Sulfur-in-Fuel Limitations for Fossil Fuel Utilization Facilities Pending Conversion to an Alternate Fuel or Implementation of Permanent Energy Conservation Measures."

(38) A variance of Regulation 310 CMR 7.05(1)(d)(2) "Sulfur Control of Fuels and Control Thereof" for the Metropolitan Boston Air Pollution Control District, submitted on November 25, 1980, by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(39) Revisions to meet the requirements of Part D and certain other sections of the Clean Air Act, as amended, for making a commitment to public transportation in the Boston urban region which were submitted on July 9, 1981 and on July 30, 1981.

(40) Regulations 310 CMR (14), (15), and (16), for paper, fabric, and vinyl surface coaters to meet the requirements of Part D for ozone were submitted by the Governor of Massachusetts on March 6, 1981.

(41) A revision to Regulation 7.05(1)(c) "Sulfur Content of Fuels Control Thereof for the Merrimack Valley Air Pollution Control District" allowing the burning of higher sulfur content fuel oil at Haverhill Paperboard Corporation, Haverhill.

(42) Regulation 310 CMR 7.18(2)(b), to allow existing surface coating lines regulated under 310 CMR 7.18 (4), (5), (6), (7), (10), (11), (12), (14), (15) and (16) to bubble emissions to meet the requirements of Part D for ozone was submitted by the Governor on March 6, 1981, and a letter clarifying state procedures was submitted on November 12, 1981. The emission limitations required by the federally-approved portion of 310 CMR 7.18 are the applicable requirements of the Massachusetts SIP for the purpose of section 113 of the Clean Air Act and shall be enforceable by EPA and by citizens in the same manner as other requirements of the SIP; except that emission limitations adopted by the state under and which comply with 310 CMR 7.18(2)(b) and the procedures set out in the letter of November 12, 1981 shall be the applicable requirements of the Massachusetts SIP in lieu of those contained elsewhere in 310 CMR 7.18 and shall be enforceable by EPA and by citizens.

(43) A revision to Regulation 7.05(1)(d) "Sulfur Content of Fuels and Control Thereof for the Metropolitan Boston Air Pollution Control District" allowing the burning of higher sulfur content fuel oil at Eastman Gelatine Corporation, Peabody, submitted on September 24, 1981 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(44) The Massachusetts Department of Environmental Quality Engineering submitted an updated VOC emissions inventory on September 3, 1981, and the procedures to annually update this inventory on November 4, 1981.

(45) A revision to Regulation 7.05(1)(e) "Sulfur Content of Fuels and Control Thereof for the Pioneer Valley Air Pollution Control District" allowing the burning of higher sulfur content fuel oil at the Holyoke Gas and Electric Department, Holyoke.

(46) A revision submitted on December 29, 1981 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering allowing the burning of higher sulfur

content fuel oil at the ATF Davidson Company, Northbridge, until December 1, 1983.

(47) Regulation 310 CMR 7.18(10) for metal coil coating was submitted on June 24, 1980 by the Commissioner of the Department of Environmental Quality Engineering, in order to meet Part D requirements for ozone.

(48) Regulations 310 CMR 7.18(11), Surface Coating of Miscellaneous Metal Parts and Products and (12), Graphic Arts—Rotogravure and Flexography with test methods; and (13) Perchloroethylene Dry Cleaning Systems without test methods, were submitted on July 21, 1981 and March 10, 1982 by the Department of Environmental Quality Engineering to meet Part D requirements for ozone attainment.

(49) A revision to Regulation 7.17 "Conversions to Coal" submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on January 22, 1982 specifying the conditions under which coal may be burned at the Holyoke Water Power Company, Mount Tom Plant, Holyoke, Massachusetts.

(50) [Reserved]

(51) A revision submitted on September 29, 1982 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering allowing the burning of fuel oil having a sulfur content of 0.55 pounds per million Btu heat release potential at the Northeast Petroleum Corporation, Chelsea, Massachusetts.

(52) A revision submitted on September 28, 1982 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering allowing the burning of higher sulfur content fuel oil at the Polaroid Corporation for a period of up to 30 months commencing on December 1, 1982.

(53)(i) Attainment plans for carbon monoxide and ozone submitted by the Department of Environmental Quality Engineering on September 9, November 2 and November 17, 1982; February 2, March 21, April 7, April 26 and May 16, 1983. These revisions amend Regulations 310 CMR 7.18 (3)-(7), (9)-(16); and add Regulation 310 CMR 7.18(17), 7.20 (1)-(14), and 540 CMR 4.00.

(ii) Regulation 310 CMR 7.18(3) for the surface coating of metal furniture submitted on September 9, 1982 as part of the attainment plan identified in § 52.1120(c)(53)(i), is added to the VOC surface coating bubble Regulation 310 CMR 7.18(2)(b) identified in § 52.1120(c)(42).

(iii) Regulation 310 CMR 7.18(13) for Perchloroethylene Dry Cleaning systems submitted on September 9, 1982 as part of the attainment plan identified in section 52.1120(53)(i), is amended by adding EPA test methods to the no action identified in 52.1120(48).

(54) On February 8, 1983, the Massachusetts Department of Environmental Quality Engineering submitted a source specific emission limit in the letter of approval to the Esleeck Manufacturing Company, Inc., Montague, allowing the Company to burn fuel oil having a maximum sulfur content of 1.21 pounds per million Btu heat release potential provided the fuel firing rate does not exceed 137.5 gallons per hour.

(55) A revision to exempt the Berkshire Air Pollution Control District from Regulation 310 CMR 7.02(12)(b)2 was submitted on March 25, 1983 by Kenneth A. Hagg, Director of the Division of Air Quality Control of the Department of Environmental Quality Engineering.

(56) A revision to Regulation 310 CMR 7.02(12)(a)1(e) for petroleum liquid storage in external floating roof tanks submitted on December 2, 1983.

(57) Revisions to the State's narrative, entitled *New Source Regulations* on page 117 and 118, the regulatory definitions of BACT, NSPS and NESHAPS and Regulation 310 CMR 7.02 (2)(a)(6) and 7.02 (13), submitted by Anthony D. Cortese, Commissioner, in August, 1982 and received on September 9, 1982.

(58) [Reserved]

(59) A revision submitted on May 3, 1983, allowing the burning of 2.2% sulfur content fuel oil at the Stanley Woolen Company, a facility in Uxbridge, Massachusetts for a period of up to 30 months, commencing on March 23, 1984.

(60) On May 27, 1982 and September 9, 1982 the Commissioner of the Mas-

sachusetts Department of Environmental Quality Engineering submitted a revised plan for new source review in nonattainment areas. The submittal included 310 CMR Appendix A, "Emission Offsets and Nonattainment Review," additions to 310 CMR 7.00, "General Definitions," and revisions to 310 CMR 7.02(2)(b)(4) and 7.02(2)(b)(5), "Plan Approval and Emission Limitations."

(61) A revision submitted on October 31, 1983, allowing the burning of 2.2% sulfur content fuel oil at the Reed and Barton Silversmiths facility in Taunton, Massachusetts for a period of up to 30 months, commencing on March 23, 1984.

(62) A revision submitted on November 16, 1983 allowing the burning of 2.2% sulfur content fuel oil at the ATF Davidson Company in Northbridge, Massachusetts.

(63) A revision submitted on February 2, 1984, allowing the burning of 1.0% sulfur content fuel oil at The Biltrite Corporation facility in Chelsea, Massachusetts for a period of up to 30 months, commencing on June 15, 1984.

(64) A revision to the Ozone Attainment Plan was submitted by S. Russell Sylva, Commissioner of the Massachusetts Department of Environmental Quality Engineering on February 14, and May 22, 1985 to control emissions from gasoline tank trucks and bulk terminal vapor recovery systems.

(i) Incorporation by reference.

(A) Amendments to Regulations 310 CMR 7.00 and 7.02(12) (c) and (d), "Motor Vehicle Fuel Tank Trucks", adopted December 1984.

(B) The May 22, 1985 letter from Massachusetts DEQE, and the enforcement manual submitted and adopted on May 22, 1985, including Method 27, record form, potential leak points, major tank truck leak sources, test procedure for gasoline vapor leak detection procedure by combustible gas detector, instruction manual for Sentox 2 and Notice of Violation.

(65) A temporary variance to 310 CMR 7.05(1)(d)2 of "Sulfur Content of Fuels and Control Thereof for Metropolitan Boston Air Pollution Control District" submitted on January 6, 1984 to allow for the use of 2.2% sulfur content fuel oil in boiler unit 7 of the Boston Edison Company Mystic Station facility in Everett for thirty months commencing on September 25, 1984.

(66) Attainment and maintenance plans for lead, submitted on July 13 and August 17, 1984 by the Department of Environmental Quality Engineering.

(67) A revision submitted on July 11, 1984 allowing the burning of 2.2% sulfur content fuel oil at the James River Corporation Hyde Park Mill facility in Boston, Massachusetts for a period of up to 30 months, commencing on September 25, 1984.

(68) A revision submitted on February 8 and October 23, 1985 allowing the burning of 2.2% sulfur content fuel oil at the Phillips Academy facility in Andover, Massachusetts for a period of up to 30 months, commencing on April 1, 1986.

(i) Incorporation by reference. (A) Letter from Richard J. Chalpin, Acting Regional Engineer, to Phillips Academy, dated December 27, 1984 allowing the temporary use of less expensive 2.2% sulfur fuel oil (for 30 months from the date of publication), the savings from which will be used to implement permanent energy conservation measures to reduce on-site consumption of petroleum products by at least 50,000 gallons per year (estimated 82,000 gallons per year). At the end of the temporary use period, Phillips Academy will return to the use of 1.0% sulfur fuel oil. The particulate emission rate for the facility will not exceed 0.15 lbs. per million Btu.

(B) These specific requirements of Regulation 310 CMR 7.19 were agreed to in a Statement of Agreement, signed February 19, 1985.

(C) Memorandum to Donald C. Squires from Bruce K. Maillet dated October 4, 1985; subject: Response to EPA questions regarding Phillips Academy, outlines the permanent energy conservation measures to be used.

(69) Revisions to federally approved regulations 310 CMR 7.02(2)(b) and 310 CMR 7.05(4) were submitted on December 3, 1985, January 31, 1986 and February 11, 1986 by the Depart-

ment of Environmental Quality Engineering.

(i) Incorporation by reference.

(A) Regulation 310 CMR 7.02(2)(b), Department of Environmental Quality Engineering, Air Pollution Control, is corrected to include the word "major" before the word "modification".

(B) Regulation 310 CMR 7.05(4), Department of Environmental Quality Engineering, Air Pollution Control, Ash Content of Fuels.

(ii) Additional materials.

(A) The nonregulatory portions of the state submittals.

(70) A revision submitted on February 19, 1986 allowing the burning of 2.2% sulfur content fuel oil at the Boston Housing Authority, Mary Ellen McCormick and Maverick Family Development facilities in Boston, Massachusetts for a period of up to 30 months, commencing on August 12, 1986.

(i) Incorporation by reference.

(A) Letters dated August 30, 1985 and July 11, 1985 for the Mary Ellen McCormick and Maverick Family Development Facilities, respectively, from Richard J. Chalpin, Acting Regional Engineer, allowing the temporary use of less expensive 2.2% sulfur fuel oil for 30 months from August 12, 1986, the savings from which will be used to implement permanent energy conservation measures to reduce the on-site consumption of the petroleum products. At the end of the temporary use period, the Boston Housing Authority, Mary Ellen McCormick and Maverick Family Development facilities will return to the use of 0.5% sulfur fuel oil. The particulate emission rate for these facilities will not exceed 0.12 lbs per million BTU.

(B) Statements of Agreement both signed October 28, 1985 by Doris Bunte, Administrator of Boston Housing Authority.

(C) Memorandum from Bruce K. Maillet to S. Russell Sylva dated January 9, 1986, subject: Decision Memo.

(71) A revision submitted on May 12, 1986 allowing the burning of 2.2% sulfur content fuel oil at the Boston Housing Authority, Mission Hill Extension Family Development facility in Boston, Massachusetts for a period of up to 30 months, commencing on November 25, 1986.

(i) Incorporation by reference.

(A) Letter dated March 5, 1986 for the Mission Hill Extension Family Development facility, from Richard J. Chalpin, Acting Regional Engineer, allowing the temporary use of less expensive 2.2% sulfur fuel oil (for 30 months from the date of publication), the savings from which will be used to implement permanent energy conservation measures to reduce the on-site consumption of petroleum products. At the end of the temporary use period, the Boston Housing Authority, Mission Hill Extension Family Development facility will return to the use of 0.5% sulfur fuel oil. The particulate emission rate for this facility will not exceed 0.12 lbs per million Btu.

(B) Statements of Agreement signed April 4, 1986 by Doris Bunte, Administrator of Boston Housing Authority.

(C) Memorandum from Bruce K. Maillet to S. Russell Sylva dated April 18, 1986, subject: Decision Memo.

(72) [Reserved]

(73) Revisions to the State Implementation Plan submitted by the Commonwealth of Massachusetts on February 21, February 25, and June 23, 1986.

(i) Incorporation by reference.

(A) A letter from the Commonwealth of Massachusetts Department of Environmental Quality Engineering dated February 21, 1986 and amendments to 310 CMR 7.00 and 310 CMR 7.18 of the Regulations for the control of Air Pollution in the Berkshire, Central Massachusetts, Merrimack Valley, Metropolitan Boston, Pioneer Valley and Southeastern Massachusetts Air Pollution Control Districts.

(B) A letter from the Commonwealth of Massachusetts Department of Environmental Quality Engineering (DEQE), dated June 23, 1986 and the Implementation Guidance, 310 CMR 7.18(18), Polystyrene Resin Manufacturing, dated February 1986.

(C) A Regulation Filing and Publication document from the Commonwealth of Massachusetts Department of Environmental Quality Engineering, dated February 25, 1986.

(ii) Additional materials.

(A) Nonregulatory portions of the state submittals.

(74) Revisions to the State Implementation Plan were submitted by the Commissioner of the Department of Environmental Quality Engineering on November 5, 1986 and December 10, 1986.

(i) Incorporation by reference.

(A) Letter dated November 5, 1986 from the Massachusetts Department of Environmental Quality Engineering (DEQE) submitting revisions to the State Implementation Plan for EPA approval.

(B) Letter from the Massachusetts DEQE dated December 10, 1986, which states that the effective date of Regulations 310 CMR 7.00, "Definitions" and 310 CMR 7.18(19), "Synthetic Organic Chemical Manufacture," is November 28, 1986.

(C) Massachusetts' Regulation 310 CMR 7.18(19) entitled, "Synthetic Organic Chemical Manufacture," and amendments to 310 CMR 7.00, "Definitions," effective in the Commonwealth of Massachusetts on November 28, 1986.

(ii) Additional materials.

(A) Nonregulatory portions of the State submittal.

[37 FR 10871, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1120, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1121 Classification of regions.

The Massachusetts plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Boston Intrastate	I	I	III	I	I
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III
Metropolitan Providence Interstate	I	I	III	III	III
Central Massachusetts Intrastate	I	II	III	III	III
Hartford-New Haven-Springfield Interstate	I	I	III	I	I
Berkshire Intrastate	II	III	III	III	III

[37 FR 10672, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 61303, Sept. 16, 1980]

§ 52.1122 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Massachusetts' plan for attainment and maintenance of the secondary standards for particulate matter and sulfur oxides in the Metropolitan Boston Intrastate Region.

(b) [Reserved]

(c) The Administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submission of Massachusetts' plan for attainment and maintenance of the secondary standard for particulate matter in all the secondary non-attainment areas (See 40 CFR 81.322).

(d) The Administrator hereby extends until December 31, 1987 the attainment dates for carbon monoxide and for ozone.

[37 FR 10872, May 31, 1972, as amended at 45 FR 2043, Jan. 10, 1980; 45 FR 61303, Sept. 16, 1980; 47 FR 28373, June 30, 1982]

§ 52.1123 Approval status.

(a) With the exceptions set forth in this subpart the Administrator approves the Massachusetts plan as identified in § 52.1120 for attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan identified in § 52.1120 satisfies all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D of the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) The above requirements for continued satisfaction of Part D are fulfilled by Massachusetts Regulation 310 CMR 7.18(17) and a narrative commitment to review CTG IIIs issued in the future. Both were submitted on September 9, 1982. Additionally, each individual RACT determination made under 310 CMR 7.18(17) will be submitted as a SIP revision to incorporate the limitation into the SIP, and DEQE will propose regulations for CTG III category controls if the controls are appropriate for the State.

[45 FR 61303, Sept. 16, 1980, as amended at 48 FR 51485, Nov. 9, 1983]

§ 52.1124 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Massachusetts.

(c) Revisions to Regulation 310 CMR 7.02(2)(d) submitted on March 30, 1979 are disapproved because they do not satisfy the requirements of § 51.161.

[39 FR 7281, Feb. 25, 1974, as amended at 40 FR 47495, Oct. 9, 1975; 45 FR 2043, Jan. 10, 1980; 51 FR 40677, Nov. 7, 1986]

§ 52.1125 Compliance schedules.

(a) The compliance schedules for source identified below are disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption
Cities Service Oil Company Loading Rack	Braintree MBAPCD	2.5	Mar. 30, 1973.
Gibbs Oil Company Loading Racks	Revere MBAPCD	2.5	Do.
Sun Oil Company	......do	2.5	Do.
Peirce Brothers, Inc	Waltham, Mass	5.1.1	Jan. 9, 1973.
Texaco, Inc	Chelsea MBAPCD	2.5	Mar. 29, 1973.
Western Massachusetts Electric Co	West Springfield	2.5.1 5.1.4 5.4.1 6.1.1 6.1.2	Jan. 15, 1974.

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted. (See § 52.1126 for control strategy revision approvals and disapprovals pertaining to one or more of the sources listed below.)

[See footnote at end of table]

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Deerfield Specialty Papers, Inc	Monroe Bridge	5.1.2	Oct. 17, 1972	Immediately	Oct. 1, 1973.
Hollingsworth & Vose Co	East Walpole	5.1.2	June 29, 1972	......do	June 30, 1973.
Pepperell Paper Co	Pepperell	5.1.2	Nov. 29, 1972	Apr. 1, 1973	June 1, 1973.
Stevens Paper Mills, Inc	Westfield and South Hadley.	5.1.2	July 27, 1972	......do	Oct. 1, 1973.

[See footnote at end of table]

Source	Location	Regulation involved	Date of adoption	Effective date	Final complianc date
Tileston and Hollingsworth Co	Hyde Park	5.1.1	Nov. 21, 1972	Immediately	Feb. 28, 1973.
All sources in Berkshire APCD		5.1.2	......do	Apr. 1, 1973	Oct. 1, 1973.
Newton Public Schools	Newton, Mass	5.3.1	Dec. 7, 1972	Immediately	June 1, 1973.
Administration Building	265 Washington Street.				
Claflin Hall, Newton Junior College.	Washington Park, Newtonville.				
New England Power Co	Brayton Point Station, Somerset.	5.1.2	Nov. 13, 1973	Jan. 1, 1974	May 15, 1974.
	Salem Harbor Station, Salem.	5.1.2	......do	......do	Do.
Brayton Point Electric [1] Generation Station.	Somerset	5.1.2 5.4.1	Feb. 12, 1974	May 4, 1974	Dec. 31, 1974.
Belmont Municipal Incinerator	Belmont MBAPCD	2.5	Feb. 15, 1973	Immediately	July 1, 1975.
Emerson & Cuming, Inc. Industrial Facility 2.	Canton MBAPCD	2.5	Mar 30, 1973	......do	July 15, 1975.
Lynn Hospital	Lynn MBAPCD	2.5	Mar. 2, 1973	......do	Mar. 15, 1974.
Merriman, Inc	Hingham MBAPCD	2.5	Mar. 30, 1973	......do	Apr. 1, 1974.
Monsanto	Everett MBAPCD	2.5	Feb. 15, 1973	......do	June 1, 1975.
Newton Municipal Incinerator	Newton MBAPCD	2.5	......do	......do	Dec. 31, 1974.
Old Colony Crushed Stone	Quincy MBAPCD	2.5	Apr. 30, 1973	......do	May 1, 1975.
Quincy Steel Casting Co., Inc	No. Quincy MBAPCD.	2.5	Feb. 15, 1973	......do	July 15, 1974.
Simeone Stone Corp	Holliston MBAPCD	2.5	......do	......do	June 1, 1974.
Ventron Corp	Danvers MBAPCD	2.5	Mar. 30, 1973	......do	June 30, 1974.
Wellesley Municipal Incinerator	Wellesley MBAPCD	2.5	Feb. 15, 1973	......do	Oct. 30, 1974.
Winchester Municipal Incinerator	Winchester	2.5	Apr. 9, 1973	......do	June 30, 1975.
American Oil Co	Chelsea MBAPCD	2.5	Mar. 30, 1973	......do	Dec. 1, 1974.
Cities Service Oil Co. Four Gasoline Storage Tanks.	Braintree MBAPCD	2.5	Feb. 15, 1973	......do	Dec. 31, 1974.
Gibbs Oil Co. Tanks 1, 2, 3	Revere MBAPCD	2.5	Mar. 30, 1973	......do	Oct. 1, 1974.
Harry T. Cambell Sons Company	Oxford CMAPCD	2.5	Feb. 15, 1973	......do	May 1, 1974.
P. J. Keating Co. Aggregate Plant.	Lunenburg CMAPCD.	2.5	......do	......do	May 31, 1975.
P. J. Keating Co. Asphalt Plant #1.	......do	2.5	......do	......do	May 31, 1974.
P. J. Keating Co. Asphalt Plant #2.	......do	2.5	......do	......do	May 31, 1975.
Chromalloy American Corp. Standard Foundry Division.	Worcestor CMAPCD	2.5	......do	......do	Dec. 31, 1974.
Wyman Gordon Company 18,000 Ton Forge Press.	Grafton CMAPCD	2.5	......do	......do	Apr. 30, 1975.
Wyman Gordon Co. 3,000 & 6,000 ton Forge Presses.	......do	2.5	......do	......do	Do.
Wyman Gordon Co. Car type Wheelabrator.	......do	2.5	......do	......do	Oct. 31, 1974.
Wyman Gordon Company 35,000 Ton Forge Press.	......do	2.5	......do	......do	Apr. 30, 1975.
Wyman Gordon Company 50,000 Forge Press.	......do	2.5	......do	......do	Do.
Wyman Gordon Company, Forge Shop Bldgs. 6, 53, 81, & 111.	Worcester CMAPCD	2.5	......do	......do	Do.
Wyman Gordon Company Steam Hammer Forging Unit Bldgs. 53 & 111.	......do	2.5	......do	......do	Do.
Shell Oil Gasoline Storage Tanks	West Boylston CMAPCD.	2.5	Mar. 30, 1973	......do	Oct. 1, 1974.
Ferros Technology, Inc	Lawrence MVAPCD	2.5	Feb. 15, 1973	......do	May 1, 1975.
Lorum Fibre Co., Inc	Tewksbury MVAPCD.	2.5	......do	......do	Mar. 31, 1974.
Malden Mills Inc. Stock Dryers	Lawrence MVAPCD	2.5	......do	......do	Sept. 30, 1974.
Malden Mills Inc. Screen Print Dryer.	......do	2.5	......do	......do	June 30, 1974.
Malden Mills Inc. Cloth Back Coaters.	......do	2.5	......do	......do	Aug. 31, 1974.
Malden Mills Inc. Cloth Dryers	Lawrence	2.5	Feb. 13, 1973	......do	Apr. 30, 1975.
Greenfield Tap & Die United Greenfield Division of TRW, Inc. Plant #1.	Greenfield PVAPCD	2.5	Feb. 15, 1973	......do	Do.

[See footnote at end of table]

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Greenfield Tap & Die United Greenfield Division of TRW, Inc. Plant #2.	do	2.5	do	do	Do.
Holyoke Municipal Incinerator	Holyoke PVAPCD	2.5	do	do	Mar. 31, 1975.
Monsanto Company Source Reg. #203.	190 Grochmal Ave. Springfield PVAPCD.	2.5	do	do	Apr. 1, 1975.
Monsanto Company Source Reg. #210.	do	2.5	do	do	Do.
Monsanto Company Source Reg. #166.	do	2.5	do	do	Do.
Monsanto Company Source Reg. #101.	190 Grochmal Ave Springfield PVAPCD.	2.5	do	do	Apr. 1, 1975.
Monsanto Company Source Reg. #165.	do	2.5	do	do	Do.
Monsanto Company Source Reg. #103.	do	2.5	do	do	Do.
Monsanto Company Source Reg. #100.	do	2.5	do	do	Do.
Monsanto Company Source Reg. #52.	do	2.5	do	do	Do.
Monsanto Company Source Reg. #51.	do	2.5	do	do	Do.
Monsanto Company C.S. 103-81	730 Worcester St Springfield PVAPCD.	2.5	do	do	Oct. 31, 1974.
Monsanto Company C.S. 133	do	2.5	do	do	Apr. 30, 1975.
Palmer Bituminous Corp	Palmer PVAPCD	2.5	do	do	Oct. 30, 1974.
Rodney Hunt Company	Orange PVAPCD	2.5	do	do	Dec. 30, 1974.
Springfield Foundry Co	Springfield	2.5	do	do	Apr. 1, 1975.
Valley Industries Inc	West Springfield PVAPCD.	2.5	do	do	Jan. 30, 1975.
Campanella Corp	Oak Bluffs SMAPCD	2.5	do	do	May 1, 1975.
Campanella Corp	Plainville SMAPCD	2.5	do	do	Apr. 30, 1974.
Campanella Corp. #1 Asphalt Batching Plant.	Raynham SMAPCD	2.5	do	do	May 15, 1975.
Campanella Corp. #2 Asphalt Batching Plant.	do	2.5	do	do	Do.
Campanella Corp	Sandwich SMAPCD	2.5	do	do	Apr. 30, 1974.
Campanella Corp	Swansea, SMAPCD	2.5	do	do	Do.
Lawrence Lynch Corp	Falmouth SMAPCD	2.5	do	do	Do.
New Bedford Municipal Incinerator.	New Bedford SMAPCD.	2.5	do	do	July 1, 1974.
North Attleboro Foundry Co., Inc	North Attleboro SMAPCD.	2.5[1]	do	do	Mar. 1, 1975.
Revere Copper and Brass, Inc	New Bedford SMAPCD.	2.5	do	do	May 1, 1975.
Simeone Stone Corp	Dartmouth SMAPCD	2.5	do	do	Do.
Simeone Stone Corp. #1 Asphalt Batching Plant.	Wrentham SMAPCD	2.5	do	do	Do.
Simeone Stone Corp. #3 Asphalt Batching Plant.	do	2.5	do	do	Aug. 1, 1974.
Boston Housing Authority	Boston	5.1.1	Nov. 2, 1973	Nov. 15, 1973	Nov. 15, 1974.
All sources subject to the requirements of Regulation 5.1.3.	Statewide	5.1.3	do	do	May 15, 1974.
Sources subject to the provisions of Regulation 5.1.2(d).	do	5.1.2(d)	do	Nov. 15, 1977	Nov. 15, 1974.
Holyoke Water Power Co	Holyoke	2.5.1 5.1.4 5.4.1 6.1.1 6.1.2	Dec. 11, 1973	Dec. 14, 1973	May 15, 1974.
Boston Edison Co	Weymouth, Boston	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.
Brandeis University	Waltham	5.1.2(d)	Nov. 30, 1973	Nov. 30, 1973	Do.
Cambridge Electric	Cambridge	5.1.2(d)	Nov. 21, 1973	Nov. 21, 1973	Do.
Montaup Electric Co	Somerset	5.1.2(d)	Nov. 29, 1973	Nov. 29, 1973	Do.
Massachusetts Bay Transportation Authority.	Boston	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.

[See footnote at end of table]

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Massachusetts Institute of Technology.	Cambridge	5.1.2(d)	Nov. 21, 1973	Nov. 21, 1973	Do.
Revere Sugar Refinery	Charlestown	5.1.2(d)	......do	......do	Do.
Weyerhauser Co.	Fitchburg	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.
Wymen Gordon	Worcester	5.1.2(d)	Dec. 12, 1973	Dec. 12, 1973	Do.
Holyoke Water Power Co	Holyoke	5.1.2(d)	Nov. 27, 1973	Nov. 27, 1973	Do.
New Bedford Gas & Edison Light Co.	New Bedford	5.1.2(d)	Nov. 15, 1973	Nov. 15, 1973	Do.
Canal Electric Co	Sandwich	5.1.2(d)	Jan. 24, 1974	Jan. 24, 1974	Do.
American Optical Corp	Southbridge	5.1.2(d)	Nov. 29, 1973	Nov. 29, 1973	Do.
Fitchburg Gas & Electric	Fitchburg	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.
A. C. Lawrence Leather Co	Peabody	5.1.2(d)	Dec. 19, 1973	Dec. 19, 1973	Do.
Eastman Gelatine Corp	......do	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.
Fitchburg Paper Co	Fitchburg	5.1.2(d)	Nov. 29, 1973	Nov. 29, 1973	Do.
U.S.M. Corp. (for that portion supplied by Northeast Petroleum).	Beverly	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.
Monsanto Worcester St. (for that portion supplied by Northeast Petroleum).	Indian Orchard	5.1.2(d)	Nov. 21, 1973	Nov. 21, 1973	Do.
Uniroyal Tire Co. (for that portion supplied by Northeast Petroleum).	Chicopee	5.1.2(d)	......do	......do	Do.
General Electric (for that portion supplied by Northeast Petroleum).	Lynn	5.1.2(d)	Nov. 20, 1973	Nov. 20, 1973	Do.
General Electric	Pittsfield	5.1.2(d)	Nov. 21, 1973	Nov. 21, 1973	Do.
Salem Harbor Electric Generating Station.	Salem	5.1.2 5.4.1	Jan. 15, 1974	Jan. 23, 1974	Do.

[1] Subject to conditions as appear at 39 FR 17839 May 21, 1974.

[37 FR 23088, Oct. 28, 1972 and 38 FR 9089, Apr. 10, 1973, as amended at 38 FR 20835, Aug. 3, 1973; 38 FR 21919, Aug. 14, 1973; 38 FR 32808, Nov. 28, 1973; 38 FR 34116, Dec. 11, 1973; 39 FR 3823, Jan. 30, 1974; 39 FR 14339, Apr. 23, 1974; 39 FR 15272, May 2, 1974; 39 FR 17442, 17443, May 16, 1974; 39 FR 17840, May 21, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.1126 Control strategy: Sulfur oxides.

(a) The revisions to the control strategy resulting from the modification to the emission limitations applicable to the sources listed below or resulting from the change in the compliance date for such sources with the applicable emission limitation is hereby approved. All regulations cited are air pollution control regulations of the State, unless otherwise noted. (See § 52.1125 for compliance schedule approvals and disapprovals pertaining to one or more of the sources listed below.)

Source	Location	Regulation involved	Date of adoption
Deerfield Specialty Papers, Inc.	Monroe Bridge	5.1.2	Oct. 17, 1972.
Hollingsworth & Vose Co.	East Walpole	5.1.2	June 29, 1972.
Pepperell Paper Co.	Pepperell	5.1.2	Nov. 29, 1972.
Stevens Paper Mills, Inc.	Westfield and South Hadley.	5.1.2	July 27, 1972.
Tileston and Hollingsworth Co.	Hyde Park	5.1.1	Nov. 21, 1972.
All sources in Berkshire APCD.		5.1.2	Do.

(b)(1) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Pioneer Valley Air Pollution Control District, which allows a relaxation of sulfur in fuel limitations under certain conditions, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content.)

Deerfield Specialty Paper Company, Monroe Bridge; Amherst College, Amherst; Brown Company, Holyoke; Monsanto Polymer and Petrochemical Company, Building 21, Springfield; Monsanto Polymer and Petrochemical Company, Building 49, Springfield; Mount Holyoke College, South Hadley; Uniroyal Tire Inc., Chicopee; Smith College, Northampton; West Springfield Generating Station, Western Massachusetts Electric, West Springfield.

Pioneer Valley APCD

Belchertown State School, Belchertown
James River Graphics (formerly Scott Graphics), south Hadley (conditioned upon operation of the boilers on only one of the two stacks at any given time, and operation being so restricted in the source's operating permit granted by the Massachusetts Department of Environmental Quality Engineering.)
Massachusetts Mutual Life Insurance Company, Springfield.
Northampton State Hospital, Northampton.
Springfield Technical Community College, Springfield.
Stanley Home Products, Easthampton.
Stevens Elastomeric Industries, Easthampton.
Ware Industries, Ware.
Westfield State College, Westfield.
Westover Air Force Base (Building 1411), Chicopee.
University of Massachusetts, Amherst.
Mount Tom Generating Station, Holyoke.

(2) Massachusetts Regulation 310 CMR 7.05(1)(e)(3) for Pioneer Valley, as submitted on March 2, 1979, and May 5, 1981, which allows sources in Hampshire and Franklin Counties rated at less than 100 million Btu per hour heat input capacity to burn fuel oil having a sulfur content of not more than 1.21 pounds per million Btu heat release potential (approximately equivalent to 2.2% sulfur content) is approved for all such sources with the exception of:

Strathmore Paper Co., Montague.

(c) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) which allows a relaxation of sulfur in uel limitations for the Central Massachusetts Air Pollution Control District, except in the City of Worcester, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million BTU heat release potential (approximately equivalent to 1 percent sulfur content fuel oil).

American Optical Company, Southbridge, Wyman Gordon Company, Grafton, James River—Massachusetts Inc., Fitchburg, Fitchburg Paper Company, Fitchburg (only boilers which emit through the 55 meter stack).

Central Massachusetts APCD

Borden, Inc., Chemical Division, Leominster (conditioned upon first completing construction of new stack and certification of completion to the EPA by the Massachusetts Department of Environmental Quality Engineering.).
Gardner State Hospital, Gardner.
Grafton State Hospital, Grafton.
Haywood-Shuster Woolen, E. Douglas.
Cranston Prints Works, Webster.
Baldwinville products, Templeton—(conditioned upon first completing construction of new stack, and certification of completion to the EPA by the Massachusetts Department of Environmental Quality Engineering.).

(d) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Southeastern Massachusetts Air Pollution Control District, which allows a relaxation of sulfur in fuel limitations under certain conditions is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content.)

New England Power Company, Brayton Point Station, Somerset; Montaup Electric Company, Somerset Station, Somerset (limited to 75% capacity while burning higher sulfur fuels.) Canal Electric Company, Sandwich; Taunton Municipal Lighting Plant, Somerset Avenue, Taunton.

Southeastern Massachusetts APCD

L&O Realty Trust, Taunton.
New Bedford Gas and Electric, New Bedford.
Texas Instruments, Attleboro.
Arkwright Finishing Incorporated, Fall River.
Foster Forbes Glass Company, Milford.
Owens Illinois Inc., Mansfield.
Harodite Finishing Corporation, Dighton—(conditioned upon prior removal of raincaps from stack, and certification of completion to the EPA by the Massachusetts Department of Environmental Quality Engineering.)
Polaroid Corporation, New Bedford.

(e) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Merrimack Valley Air Pollution Control District, excluding the City of Lawrence and the towns of Andover, Methuen, and North Andover, which allows a relaxation of sulfur in fuel limitations under certain conditions, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulates that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content).

Hollingsworth and Vose, West Groton; James River Paper, Pepperell; Haverhill Paperboard Corp., Haverhill. Residual oil burning facilities less than 100 million Btu's per hour heat input capacity, except in the City of Lawrence, and Towns of Andover, Methuen, and North Andover.

(f) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Metropolitan Boston Air Pollution Control District, which allows a relaxation of sulfur in fuel limitations under certain conditions, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources in Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Medford, Newton, Somerville, Waltham, and Watertown (the Boston Core Area) are limited to burn fuel with a sulfur content not in excess of 0.28 pounds per million Btu heat release potential (approximately 0.5% sulfur content residual oil sources in the remaining APCD are limited to burn fuel with a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately 1% sulfur content residual oil).

Metropolitan Boston APCD

General Motors, Framingham.
Polaroid Corporation, Norwood.
Bird and Son, East Walpole.
Massachusetts Correctional Institute, South Walpole.
Bridgewater State College, Bridgewater.
Hanscom Field, Bedford.
Wellesley College, Wellesley.
National Tanning and Trading, Peabody.
General Tire, Reading.
General Food Corporation, Atlantic Gelatin, Woburn.
Massachusetts Correctional Institute, Bridgewater.
W. R. Grace, Acton.
Massachusetts Correctional Institute, Concord.
Danvers State Hospital, Danvers.
New England Power Company, Salem Harbor Station, Salem; Boston Edison, L Street, New Boston Station, Boston; Boston Edison, Mystic Station, Everett; Ventron Corporation, Danvers; General Electric, Lynn River Works, Lynn; U.S.M. Corporation, Beverly; Medfield State Hospital, Medfield; General Dynamics, Quincy; Hollingsworth and Vose, East Walpole; Kendal Company, Walpole; Dennison Manufacturing Company, Framingham.
Procter and Gamble Company, Quincy.
Natick Paperboard Corporation, Natick.

[38 FR 9089, Apr. 10, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1126, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1127 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The table reflects the new information presented in the approved Massachusetts plan.

closed within the following boundaries:

The City of Cambridge; that portion of the City of Boston from the Charles River and the Boston Inner Harbor on north and northeast of pier 4 on Northern Avenue; by the east side of pier 4 to B Street, B Street extension of B Street to B Street, B Street, Dorchester Avenue, and the Preble Street to Old Colony Avenue, then east to the water, then by the water's edge around Columbia Point on various courses generally easterly, southerly, and westerly to the center of the bridge on Morrissey Boulevard, on the east and southeast; then due west to Freeport Street, Freeport Street, Dorchester Avenue, Southeast Expressway, Southampton Street, Reading Street, Island Street, Chadwick Street, Carlow Street, Albany Street, Hunneman Street, Madison Street, Windsor Street, Cabot Street, Ruggles Street, Parker Street, Ward Street, Huntington Avenue, Brookline-Boston municipal boundary, Mountford Street to the Boston University Bridge on the southwest and west; and the Logan International Airport. Where a street or roadway forms a boundary the entire right-of-way of the street is within the freeze area as defined.

(5) "Boston proper" means that portion of the City of Boston, Massachusetts, contained within the following boundaries: The Charles River and Boston Inner Harbor on the northwest, north, and northeast, the Inner Harbor, Fort Point Channel, Fitzgerald Expressway, and the Massachusetts Avenue Expressway access branch on the east and southeast, and Massachusetts Avenue on the west. Where a street or roadway forms a boundary, the entire right-of-way of the street is within the Boston proper area as here defined.

(6) "Regional Administrator" means the Administrator of Region I of the U.S. Environmental Protection Agency.

(7) "Governor" means the Governor of the Commonwealth or the head of such executive office of the Commonwealth as the Governor shall designate as responsible for carrying out specific provisions of this subpart.

(8) "Commonwealth" means the Commonwealth of Massachusetts.

[40 FR 25161, June 12, 1975]

§§ 52.1129—52.1130 [Reserved]

§ 52.1131 Control strategy: Particulate matter.

(a) Revisions to the following regulations submitted on March 30, 1979 are disapproved:

(1) Regulation 310 CMR 7.02(8), Table 2, new facilities greater than 250 million Btu/hr input burning solid fuel.

(2) Regulation 310 CMR 7.02(9), Table 5.

[45 FR 2044, Jan. 10, 1980]

§§ 52.1132—52.1133 [Reserved]

§ 52.1134 Regulation limiting on-street parking by commuters.

(a) "On-street parking" means parking a motor vehicle on any street highway, or roadway, except for legal stops within designated loading zones or areas defined for loading purposes at or before intersections, as caution safety and emergencies require whether or not a person remains in the vehicle.

(b) Commencing on or before June 30, 1974, the Commonwealth, the City of Boston, the City of Cambridge, and administrative bodies of any of them having jurisdiction over any streets highways, or roadways within the City of Cambridge or Boston proper, and the principal officials and administrative bodies thereof having responsibility over parking on such streets, highways, or roadways, shall adopt all necessary administrative and enforcement procedures and regulations to effect a prohibition of on-street parking within Boston proper between the hours of 7 a.m. and 9:30 a.m., and within the City of Cambridge between the hours of 7 a.m. and 10 a.m., except Saturdays Sundays and legal holidays. The regulations shall state that violation of the prohibition shall be punishable by a fine of not less than $15. The City of Boston shall at a minimum eliminate 50 percent of on-street parking during the hours specified by January 1, 1976 66⅔ percent by September 1, 1976; and

100 percent by March 1, 1977. The City of Cambridge shall at a minimum eliminate 33⅓ percent of on-street parking during the hours specified by September 30, 1974; 66⅔ percent by July 1, 1975; and 100 percent by March 1, 1977. Any other affected entity shall at a minimum eliminate 33⅓ percent of such parking during the hours of 7 a.m. to 10 a.m. by January 1, 1976; 66⅔ percent by September 1, 1976, and 100 percent by March 1, 1977.

(c) The following classes of vehicles shall be exempt from the requirements of this section, provided that on-street parking by such vehicles is in compliance with local and state regulations:

(1) Vehicles owned by residents of that portion of Boston included within Boston proper that are registered in Boston and display a resident parking sticker for that area issued by the City of Boston;

(2) Vehicles owned by residents of Cambridge that are registered in and parked within Cambridge and display an appropriate parking sticker issued by the City of Cambridge;

(3) Vehicles owned and operated by handicapped persons with HP license plates; and

(4) Vehicles registered as "commercial vehicles" by the Commonwealth and displaying appropriate license plates.

(d) On or before June 30, 1974, no owner or operator of a motor vehicle shall park, or permit the on-street parking of, said vehicle within Cambridge or Boston proper except in conformity with the provisions of this section and the measures implementing it.

(e) The Governor and the chief executive of any other governmental entity on which obligations are imposed by paragraph (b) of this section should, on or before April 15, 1974, submit to the Regional Administrator for his approval a detailed statement of the legal and administrative steps selected to effect the prohibition provided for in paragraphs (b) and (d) of this section, and a schedule of implementation consistent with the requirements of this section. Such schedule shall include as a minimum the following:

(1) Designation of one or more agencies responsible for the administration and enforcement of the program;

(2) The procedures by which the designated agency will enforce the prohibition provided for in paragraphs (b) and (d) of this section;

(3) The procedures by which vehicles exempt from the requirements of this section will be marked; and

(4) A map showing which streets will be subject to the ban according to the schedule of implementation.

(f) Upon a finding that substantial hardship would otherwise be experienced by employees of employment facilities located in Cambridge, the Director of Traffic and Parking of the City of Cambridge may issue special parking stickers to such employees which shall entitle vehicles to park during the hours of the ban. Such stickers shall be valid only for those streets and areas of streets clearly identified on the face of such stickers, shall be issued with preference being given to carpools and vanpools and shall be subject to immediate revocation if the vehicle is cited for a parking violation on a street or area other than those designated. A list of all persons receiving such stickers shall be sent to the Regional Administrator on or before July 1 of each year.

(g) The ban shall not apply to any street space which is subject to metered parking with a maximum allowable time limit of one hour.

[40 FR 25162, June 12, 1975]

§ 52.1135 Regulation for parking freeze.

(a) Definitions:

(1) The phrase "to commence construction" means to engage in a continuous program of on-site construction including site clearance, grading, dredging, or land filling specifically designed for a parking facility in preparation for the fabrication, erection, or installation of the building components of the facility. For the purpose of this paragraph, interruptions resulting from acts of God, strikes, litigation, or other matters beyond the control of the owner shall be disregarded in determining whether a construction or modification program is continuous.

(2) The phrase "to commence modification" means to engage in a continuous program of on-site modification including site clearance, grading, dredging, or land filling in preparation for a specific modification of the parking facility.

(3) The phrase "commercial parking space" means a space used for parking a vehicle in a commercial parking facility.

(4) [Reserved]

(5) "Commercial parking facility" (also called "facility") means any lot, garage, building or structure, or combination or portion thereof, on or in which motor vehicles are temporarily parked for a fee, excluding (i) a parking facility, the use of which is limited exclusively to residents (and guests of residents) of a residential building or group of buildings under common control, and (ii) parking on public streets.

(6) "Freeze" means to maintain at all times after October 15, 1973, the total quantity of commercial parking spaces available for use at the same amounts as were available for use prior to said date; *Provided*, That such quantity may be increased by spaces the construction of which commenced prior to October 15, 1973, or as specifically permitted by paragraphs (n), (p) and (q) of this section; provided further that such additional spaces do not result in an increase of more than 10 percent in the total commercial parking spaces available for use on October 15, 1973, in any municipality within the freeze area or at Logan International Airport ("Logan Airport"). For purposes of the last clause of the previous sentence, the 10 percent limit shall apply to each municipality and Logan Airport separately.

(b) [Reserved]

(c) There is hereby established a freeze, as defined by paragraph (a)(6) of this section, on the availability of commercial parking facilities in the freeze area effective October 15, 1973. In the event construction in any municipality, commenced prior to October 15, 1973, results in a number of spaces which exceeds the 10 percent limit prescribed by paragraph (a)(6) of this section, then the Governor shall immediately take all necessary steps to assure that the available commercial spaces within such municipalit
shall be reduced to comply with th
freeze. In the event that such limit
exceeded at Logan Airport, then th
provisions of paragraph (m) of th
section shall apply.

(d) [Reserved]

(e) After August 15, 1973, no perso
shall commence construction of an
commercial parking facility or modif
cation of any such existing facility
the freeze area unless and until he h
obtained from the Governor or fro
an agency approved by the Governor
permit stating that construction
modification of such facility will be
compliance with the parking freeze e
tablished by paragraph (c) of this se
tion. This paragraph shall not app
to any proposed parking facility f
which a general construction contra
was finally executed by all appropria
parties on or before August 15, 1973.

(f) The Governor shall notify th
Regional Administrator in writi
within 10 days of approval of a
agency pursuant to paragraph (e)
this section. In order for any agency
be approved by the Governor for pu
poses of issuing permits pursuant
paragraph (e) of this section, su
agency shall demonstrate to the sat
faction of the Governor that:

(1) Requirements for permit applic
tion and issuance have been esta
lished. Such requirements shall i
clude but not be limited to a conditio
that before a permit may be issued th
following findings of fact or factuall
supported projections must be made:

(i) The location of the facility; and

(ii) The total motor vehicle capacit
before and after the propose
construction or modification of th
facility.

(2) Criteria for issuance of permi
have been established and publishe
Such criteria shall include, but not
limited to:

(i) Full consideration of all facts co
tained in the application.

(ii) Provisions that no permit will
issued if construction or modificatio
of the facility will not comply with th
requirements of paragraph (c) of th
section.

(3) Agency procedures provide th
no permit for the construction
modification of a facility covered

this section shall be issued without notice and opportunity for public hearing. The public hearing may be of a legislative type; the notice shall conform to the requirements of 40 CFR 51.4(b); and the agency rules or procedures may provide that if no notice of intent to participate in the hearing is received from any member of the public (other than the applicant) prior to 7 days before the scheduled hearing date, no hearing need be held. If notice of intent to participate is required, the fact shall be noted prominently in the required hearing notice.

(g)-(l) [Reserved]

(m) On or before January 30, 1975, the Massachusetts Port Authority ("Massport") shall prepare and submit to the Governor for his approval a plan showing the manner in which the number of commercial parking spaces at Logan Airport which exceeds the number of such spaces permitted under the freeze shall be removed from use. The Governor shall approve such plan if he determines that (1) implementation of such plan would result in reducing the aggregate number of commercial parking spaces to the level of such spaces permitted by this section, (2) Massport has adequate legal authority to implement such plan and (3) adequate commitments have been made by Massport to assure the Governor that such plan will be fully implemented and maintained on and after May 1, 1976. In the event that the Governor does not approve such plan by April 1, 1976, then the owner or operator of each commercial parking facility located at Logan Airport shall, on or before July 1, 1976, reduce the number of commercial parking spaces available for use at each such facility by an amount which bears the same proportion to the number of spaces exceeding the limit imposed by this section as the number of spaces available at such facility bears the total number of such spaces which were available for use at Logan Airport on April 1, 1976.

(n) Where an agency approved by the Governor under paragraph (e) of this section to issue permits for new construction in the City of Cambridge demonstrates to the satisfaction of the Governor that (1) specific on-street parking spaces in use as of October 15, 1973, were being legally and regularly used as of such date for parking by commuters (as that term is defined in § 52.1161(a)(6)) who are not residents of Cambridge and that (2) effective measures have been implemented (including adequate enforcement) to prevent such spaces from being used by such commuters, then such approved agency may issue permits for construction of additional new commercial parking spaces equal to one-half of the number of spaces removed from regular use by such commuters and the total quantity of commercial parking spaces allowable in Cambridge under this section shall be raised accordingly.

(o) On or before July 31, 1976, and on or before each succeeding July 31, the Governor and the chief executive officer of any agency approved by the Governor under paragraph (e) of this section shall submit a report to the Regional Administrator setting forth:

(1) The names and addresses of all persons who received permits during the previous twelve-month period ending June 30 and number of spaces allocated to each such person;

(2) The number of commercial parking spaces available for use as of the June 30 prior to the date of the report;

(3) The number of commercial parking spaces which remain available for allocation by the Governor or such agency as of the June 30 prior to the date of the report, including those spaces made available because of retirement of existing commercial parking spaces as well as those spaces made available because of the effects of paragraphs (n), (p) and (q) of this section; and

(4) The location and capacity of any park-and-ride facility designated under paragraph (p) of this section.

(p) The Governor and any approved agency may issue a permit to construct a commercial parking facility which is designated by the Governor as a park-and-ride facility to be operated in conjunction with mass transit service without regard to the limitations on number of spaces imposed by this section.

(q) Where an agency approved by the Governor can demonstrate to the satisfaction of the Governor that there have been physically eliminated through permanent modification or demolition any legal on-street parking spaces within a municipality then such agency may issue permits for construction within that municipality of additional new commercial parking spaces equal to the number of spaces thus eliminated and the total quantity of commercial parking spaces allowable for such municipality under this section shall be increased accordingly.

(r) The provisions of this regulation shall cease to be effective as to that portion of the freeze area lying within the City of Boston and not included within Boston proper or Logan Airport at such time as the City of Boston implements a program, approved by the Governor, which shall include effective measures to control the construction of additional commercial parking spaces within that area, including procedures for issuance of conditional use permits under applicable zoning regulations and for assuring compliance with all air quality requirements under state and Federal law.

[40 FR 25162, June 12, 1975, as amended at 40 FR 39863, Aug. 29, 1975]

§§ 52.1136—52.1144 [Reserved]

§ 52.1145 Regulation on organic solvent use.

(a) Definitions:

(1) "Organic solvents" include diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents, except that such materials which exhibit a boiling point higher than 220° F. at 0.5 millimeters of mercury absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 220° F.

(2) "Solvent of high photochemical reactivity" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations in reference to the total volume of solvent:

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cycloolefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent;

(iii) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent. Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percentage of total volume of solvents.

(3) "Organic materials" are chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates, and ammonium carbonate.

(b) This section is applicable throughout the Boston Intrastate Region. The requirements of this section shall be in effect in accordance with § 52.1147.

(c) No person shall cause, allow, suffer, or permit the discharge into the atmosphere of more than 15 pounds of organic materials in any 1 day, nor more than 3 pounds of organic materials in any 1 hour, from any article, machine, equipment, or other contrivance, in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured, or heat-polymerized, in the presence of oxygen, unless said discharge has been reduced as a result of the installation of abatement controls by at least 85 percent. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip, or wire that emit organic materials and use operations described in this section shall be collectively subject to compliance with this section.

(d) No person shall cause, suffer, allow, or permit the discharge into the atmosphere of more than 40 pounds of organic materials in any 1 day, nor more than 8 pounds in any 1 hour, from any article, machine, equipment, or other contrivance used under conditions other than described in paragraph (c) of this section for employing, or applying any solvent of high photochemical reactivity or material containing such photochemically reactive solvent, unless said discharge has been reduced as a result of the installation of abatement controls by at least 85 percent. Emissions of organic materials into the atmosphere resulting from air or heated drying of products for the first 12 hours after their removal from any article, machine, equipment or other contrivance described in this section shall be included in determining compliance with this section. Emissions resulting from baking, heat-curing, or heat-polymerizing as described in paragraph (c) of this section shall be excluded from determination of compliance with this section. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip, or wire that emit organic materials and use operations described in this section shall be collectively subject to compliance with this section.

(e) Emissions of organic materials to the atmosphere from the clean-up with a solvent of high photochemical reactivity, or any article, machine, equipment, or other contrivance described in paragraph (c) or (d) of this section or in this paragraph, shall be included with the other emissions of organic materials from that article, machine, equipment or other contrivance for determining compliance with this section.

(f) No person shall cause, suffer, allow, or permit during any one day disposal of a total of more than 1.5 gallons of any solvent of high photochemical reactivity, or of any material containing more than 1.5 gallons of any such photochemically reactive solvent by any means that will permit the evaporation of such solvent into the atmosphere.

(g) Emissions of organic materials into the atmosphere required to be controlled by paragraph (c) or (d) of this section shall be reduced by:

(1) Incineration, provided that 90 percent or more of the carbon in the organic material being incinerated is converted to carbon dioxide, or

(2) Adsorption, or

(3) The use of other abatement control equipment determined by the Regional Administrator to be no less effective than either of the above methods.

(h) A person incinerating, adsorbing, or otherwise processing organic materials pursuant to this section shall provide, properly install and maintain in calibration, in good working order, and in operation, devices as specified in the authority to construct, or as specified by the Regional Administrator, for indicating temperatures, pressures, rates of flow, or other operating conditions necessary to determine the degree and effectiveness of air pollution control.

(i) Any person using organic solvents or any materials containing organic solvents shall supply the Regional Administrator upon request and in the manner and form prescribed by him, written evidence of the chemical composition, physical properties, and amount consumed for each organic solvent used.

(j) The provisions of this rule shall not apply to:

(1) The manufacture of organic solvents, or the transport or storage of organic solvents or materials containing organic solvents.

(2) The spraying or other use of insecticides, pesticides, or herbicides.

(3) The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.

(4) The use of any material, in any article, machine, equipment or other contrivance described in paragraph (c), (d), or (e) of this section if:

(i) The volatile content of such material consists only of water, and organic solvents;

(ii) The organic solvents comprise not more than 30 percent by volume of said volatile content;

(iii) The volatile content is not a solvent of high photochemical reactivity as defined in paragraph (a) of this section; and

(iv) The organic solvent or any material containing organic solvent does not come into contact with flame. This last stipulation applies only for those es, machines, equipment or other contrivances that are constructed or modified after November 8, 1973.

(5) The use of any material, in any article, machine, equipment or other contrivance described in paragraph (c), (d), or (e) of this section if:

(i) The organic solvent content of such material does not exceed 30 percent by volume of said material;

(ii) The volatile content is not a solvent of high photochemical reactivity; and

(iii) [Reserved]

(iv) The organic solvent or any material containing organic solvent does not come into contact with flame. This last stipulation applies only for those articles, machines, equipment or other contrivances that are constructed or modified after November 8, 1973.

(6) [Reserved]

(7) An article, machine, equipment or other contrivance described in paragraph (c), (d) or (e) of this section used exclusively for chemical or physical analyses or determination of product quality and commercial acceptance provided that—

(i) The exemption is approved in writing by the Regional Administrator;

(ii) The operator of said article, machine, equipment or contrivance is not an integral part of the production process; and

(iii) The emissions from said article, machine, equipment or other contrivance do not exceed 800 lbs. in any calendar month.

(8) Sources subject to the provisions of Massachusetts Regulation 310 CMR 7.18 which has been federally approved.

(k) [Reserved]

(l) All determinations of emission rates shall be conducted in a manner approved in writing by the Regional Administrator.

[40 FR 25165, June 12, 1975, as amended at 47 FR 28373, June 30, 1982]

§ 52.1146 [Reserved]

§ 52.1147 Federal compliance schedules.

(a) Except as provided in paragraph (c) of this section, the owner or operator of a source subject to regulation under paragraph (c)(1) of § 52.1144 and § 52.1145 shall comply with the increments of progress contained in the following schedule:

(1) Final control plans for emission control systems or process modifications must be submitted on or before June 1, 1974, for sources subject to § 52.1144(c)(1) and on or before May 1, 1974 for sources subject to § 52.1145.

(2) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modifications on or before March 1, 1975, for sources subject to § 52.1144(c)(1) and on or before July 1, 1974, for sources subject to § 52.1145.

(3) Initiation of on-site construction or installation of emission control equipment or process modification must begin on or before May 1, 1975, for sources subject to § 52.1144(c)(1) and on or before August 15, 1974, for sources subject to § 52.1145.

(4) On-site construction or installation of emission control equipment or process modification must be completed prior to April 15, 1975, except for purposes of paragraph (c)(1) of § 52.1144, the applicable date shall be February 1, 1976.

(5) Final compliance is to be achieved prior to May 31, 1975, except for sources subject to paragraph (c)(1) of § 52.1144 of this subpart. Final compliance for sources subject to paragraph (c)(1) of § 52.1144 is to be achieved by June 1, 1976.

(i) Facilities subject to paragraph (c)(1)(iii) of § 52.1144 of this subpart which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage containers served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(6) Any owner or operator of stationary sources subject to compliance schedule in this paragraph shall certify to the Administrator within 5 days after the deadline for each increment of progress, whether or not the re-

quired increment of progress has been met.

(7) Any gasoline dispensing facility subject to paragraph (c)(1) of § 52.1144 which installs a storage tank after October 15, 1973, shall comply with such paragraph by March 1, 1976. Any facility subject to such paragraph which installs a storage tank after March 1, 1976 shall comply with such paragraph at the time of installation.

(b) Except as provided in paragraph (d) of this section, the owner or operator of a source subject to paragraph (d)(1) of § 52.1144 shall comply with the increments of progress contained in the following compliance schedule:

(1) Final control plans for emission control systems or process modifications must be submitted prior to January 1, 1975.

(2) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification prior to March 1, 1975.

(3) Initiation of on-site construction or installation of emission control equipment or process modification must begin not later than May 1, 1975.

(4) On-site construction or installation of emission control equipment or process modification must be completed prior to May 1, 1977.

(5) Federal compliance is to be achieved prior to May 31, 1977.

(6) Any owner or operator of stationary sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(7) Any gasoline dispensing facility subject to paragraph (d)(1) of § 52.1144 which installs a gasoline dispensing system after the effective date of this regulation shall comply with the requirements of such paragraph by May 31, 1977. Any facility subject to such paragraph which installs a gasoline dispensing system after May 31, 1977, shall comply with such paragraph at the time of installation.

(c) Paragraph (a) of this section shall not apply:

(1) To a source which is presently in compliance with all requirements of paragraph (c)(1) of § 52.1144 and § 52.1145 and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the Commonwealth and approved by the Administrator.

(3) To a source subject to § 52.1144(c)(1) whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after March 1, 1976. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) To a source subject to § 52.1145 whose owner or operator submits to the Administrator by May 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after May 31, 1975. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(d) Paragraph (b) of this section shall not apply:

(1) To a source which is presently in compliance with paragraph (d)(1) of § 52.1144 and which has certified such compliance to the Administrator by January 1, 1975. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(e) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraphs (a) or (b) of this section fails to satisfy and requirements of 40 CFR 51.15 (b) and (c).

[38 FR 30970, Nov. 8, 1973]

EDITORIAL NOTES: (1) For FEDERAL REGISTER citations affecting § 52.1147, see the List of CFR Sections Affected in the Finding Aids section of this volume.

(2) The compliance dates given in paragraphs (b)(1) through (3) of § 52.1147 were deferred indefinitely at 40 FR 1127, Jan. 6, 1975.

§§ 52.1148—52.1160 [Reserved]

§ 52.1161 Incentives for reduction in single-passenger commuter vehicle use.

(a) Definitions:

(1) "Employer" means any person or entity which employs 50 or more employees at any time during a calendar year at an employment facility located in the Boston Intrastate Region.

(2) "Educational institution" means any person or entity which has 250 or more employees and students at any time during the academic year at an educational facility offering secondary level or higher training including vocational training located in the Boston Intrastate Region.

(3) "Employee" means any person who performs work for an employer thirty-five or more hours per week and for more than twenty weeks per year for compensation and who travels to and from work by any mode of travel.

(4) "Student" means any full-time day student who does not live at the educational institution and who travels to and from classes by any mode of travel.

(5) "Affected facility" means any employment facility at which 50 or more persons are employees or any educational facility at which 250 or more persons are students and employees.

(6) "Commuter" means both an "employee" and a "student".

(7) "Single-passenger commuter vehicle" means a motor-driven vehicle with four or more wheels with capacity for a driver plus one or more passengers which is used by a commuter traveling alone to work or classes and is not customarily required to be used in the course of his employment or studies.

(8) "Base date" means the date set forth in paragraph (d) of this section as of which the base number of single-passenger commuter vehicles at a particular employment facility or educational institution must be determined.

(9) "The Secretary" means the Secretary of Transportation and Construction of the Commonwealth of Massachusetts.

(b) Commencing with the effective date of this section, each employer and educational institution (except as provided below) shall diligently and expeditiously implement and thereafter continuously maintain the following mandatory measures which are designed to achieve a goal of reducing the number of single-passenger commuter vehicles customarily commuting daily to each affected facility as of its base date by 25 percent (or as adjusted pursuant to paragraph (g) of this section):

(1) Making available to commuters any pass program offered by the Massachusetts Bay Transportation Authority, if any commuter to the facility uses the mass transit facilities of such Authority as part of his daily commuting trip, including making all administrative arrangements for commuters to purchase the pass and thereby participate in the pass program and encouraging commuters to participate by such means as publicizing the availability of the pass program and the cost advantages thereof.

[40 FR 25166, June 12, 1975, as amended at 47 FR 28373, June 30, 1982]

EDITORIAL NOTE: The provisions of § 52.1161 were suspended indefinitely at 40 FR 25161, June 12, 1975.

§ 52.1162 Regulation for bicycle use.

(a) Definitions:

(1) "Bicycle" means a two-wheel nonmotor-powered vehicle.

(2) "Bike path" means a route for the exclusive use of bicycles separated by grade or other physical barrier from motor traffic.

(3) "Bike lane" means a street lane restricted to bicycles and so designated by means of painted lanes, pavement coloring or other appropriate mark-

ings. A "peak hour" bike lane means a bike lane effective only during times of heaviest auto commuter traffic.

(4) "Bike route" means a route in which bicycles share road space with motorized vehicles.

(5) "Bikeway" means bike paths, bike lanes and bike routes.

(6) "Bicycle parking facility" means any facility for the temporary storage of bicycles which allows the frame and both wheels of the bicycle to be locked so as to minimize the risk of theft and vandalism.

(7) "Parking facility" means a lot, garage, building, or portion thereof in or of which motor vehicles are temporarily parked.

(8) "Parking space" means the area allocated by a parking facility for the temporary storage of one automobile.

(9) "MBTA" means the Massachusetts Bay Transportation Authority.

(b) *Application.* This section shall be applicable in the Boston Intrastate Region.

(c) *Study.* The Commonwealth, according to the schedule set forth in paragraph (d) of this section, shall conduct a comprehensive study of, and in that study recommend, the establishment of permanent bikeways and related facilities within the area described in paragraph (b) of this section. The study shall consider or include at least the following elements:

(1) The physical design for bikeways, intersections involving bikeways, and means of bicycle link-ups with other modes of transportation;

(2) The location of bikeways, including ascertaining high accident or pollution areas and developing means of avoiding or ameliorating those situations as well as means of providing intersection safety generally;

(3) The location of bicycle parking facilities, including bus stops;

(4) The rules of the road for bicyclists, and to the extent that present rules must be modified because of bikeways, new rules of the road for motorists. Also the feasibility of mandatory adult bicycle registration to minimize theft and increase recovery of stolen bicycles;

(5) Bicycle safety education for bicyclists, motorists, children, students, street maintenance personnel and policemen, including requiring bicycle safety principles and safe street riding skills to be taught in high school automobile driver(s) education programs;

(6) Methods for publicizing bicycles or bicycles plus mass transit as alternatives to automobile transportation, including the preparation, perhaps in conjunction with bicentennial efforts, of a master Boston area transit map, indicating the kind, extent and location of bicycle facilities, public baths, showers, toilet facilities, water fountains, as well as routes and stops for MBTA, common carriers and private bus lines, such map to be distributed by the Registry of Motor Vehicles with each automobile new registration and automobile registration renewal;

(7) Requiring or providing incentives for common carriers and mass transit carriers, especially the Blue Line of the MBTA, to provide bicycle parking facilities at their respective terminals and stations and bicycle carrying facilities on their respective vehicles;

(8) The creation of roadway zones in which all vehicles, except mass transit, emergency and service vehicles, and bicycles, would be excluded;

(9) Requiring or providing incentives for office buildings and employers to install and to provide free shower and locker facilities for cyclists;

(10) A bicycle user and potential user survey, which shall at a minimum determine:

(i) For present bicycle riders, the origin, destination, frequency, travel time, distance and purpose of bicycle trips;

(ii) In high density employment areas, the present modes of transportation of employees and the potential modes of transportation, including the numbers of employees who would use a bicycle for a significant portion of their commuting transportation were suitable facilities available to them. This section of the study shall seek to ascertain the size of the working population that would move from automobiles to mass transit and bicycles or bicycles alone as a significant form of transportation. It shall also seek to ascertain what bicycle facilities or mix thereof would produce the greatest conversion from auto use;

(11) The special problems related to the design and incorporation in the bikeway facilities described in paragraph (f) of this section of feeder bikeways to bridges, on-bridge bikeways, feeder bikeways to MBTA and railroad stations, feeder bikeways to fringe parking areas, and bicycle passage through rotaries and squares;

(12) The conversion of railroad beds, power lines, flood control channels or similar corridors to bikepaths;

(13) Removing barriers to employees bringing their bicycles into their offices;

(14) Removal or alteration of drain grates with bars so placed as to catch bicycle wheels;

(15) Bicycle rentals at appropriate locations; and

(16) The feasibility of constructing bikeways along at least each of the corridors set forth in paragraph (g) of this section.

In conducting the study, opportunity shall be given for public comments and suggestions. Input shall also be solicited from state, regional and local planning staffs, state, regional and local agencies, bicycle organizations and other interested groups and be related to comprehensive transportation planning for the area designated in paragraph (b) of this section. The study shall, using as a goal a minimum of 180 miles of bikeways, examine as large a network of facilities as is practicable within the area described in paragraph (b) of this section and shall recommend physical designs for said facilities. The study shall also propose a compliance schedule for establishing any recommended permanent bicycle facilities.

(d) The Commonwealth of Massachusetts shall submit to the Regional Administrator no later than October 1, 1975, a detailed compliance schedule showing the steps that will be taken to carry out the study required by paragraph (c) of this section. The compliance schedule shall at a minimum include:

(1) Designation of the agency responsible for conducting the study;

(2) A date for initiation of the study, which date shall be no later than October 1, 1975; and

(3) A date for completion of
study, and submittal thereof to
Administrator, which date shall be
later than June 30, 1976.

(e) On or before September 1, 1
the Administrator shall publish in
FEDERAL REGISTER his response to
study required by paragraph (c
this section, and shall, in that
sponse, either approve the facility
cation and designs and other requ
ments as well as the proposed com
ance schedule for permanent facil
recommended in the study, or s
designate alternative and/or addit
al facility locations and designs
other requirements as well as mo
the proposed compliance schedule
permanent facilities. The Adminis
tor may provide, if he deems it ne
sary, for a public comment pe
prior to the effective date of his
sponse.

(f) *Permanent bicycle facilities.*
the conclusion of the study requ
by paragraph (c) of this section
the Administrator's response ther
the Commonwealth shall, toget
with the municipalities and other
thorities having jurisdiction over
fected roadways and areas estab
permanent bicycle facilities as
quired by the Administrator's
sponse to the study.

(g) The potential bikeway corrid
to be studied pursuant to paragr
(c)(16) are as follows:

(1) Central Square, Cambridge
Boston University;

(2) Harvard Square, Cambridge
Union Square, Allston;

(3) Union Square, Somerville to C
tral Square, Cambridge;

(4) Union Square, Allston to Gove
ment Center;

(5) Harvard Square, Cambridge
Government Center;

(6) Brookline Village to Governm
Center;

(7) Boston University to Longw
Avenue Hospital Zone;

(8) Egleston Square to Governm
Center;

(9) Columbus Park to Bos
Common;

(10) L Street Beach to Governm
Center;

(11) Powder House Circle, Somerv
to Harvard Square;

(12) Everett to Government Center;

(13) Porter Square, Cambridge to Columbus Park, Boston;

(14) Cleveland Circle to Government Center;

(15) Porter Square, Cambridge to Government Center;

(16) Harvard Square, Cambridge to Boston City Hospital; and

(17) Charlestown, Longfellow, Harvard, Boston University, River Street, Western Avenue, Anderson, Summer Street, and Broadway Bridges.

(h) The MBTA shall provide bicycle parking facilities at each major MBTA station adequate to meet the needs of MBTA riders within the area designated in paragraph (b) of this section. Said parking facilities shall at a minimum be located at:

(1) All stations of the Riverside portion of the Green Line;

(2) Reasonably spaced stops on other portions of the Green Line;

(3) All stations of the Red, Orange, and Blue Lines; and shall have spaces for at least six bicycles per station, except for facilities at terminal stations which shall have spaces for at least 24 bicycles.

(i) The Commonwealth shall provide for advertisement of bikeways and bicycle parking facilities in use within the area designated in paragraph (b) of this section to potential users by means of media advertisement, the distribution and posting of bikeway maps and bike safety information, as well as for a program of bicycle safety education including the motor vehicle operators license examination and public service advertisement.

[40 FR 25168, June 12, 1975]

§ 52.1163 Additional control measures for East Boston.

(a) On or before December 31, 1975, the Governor, the Mayor of the City of Boston, the Chairman of the Massachusetts Bay Transportation Authority, the Chairman of the Massachusetts Turnpike Authority and the Chairman of the Massachusetts Port Authority ("Massport") shall each submit to the Regional Administrator a study or studies of various alternative strategies to minimize the number of vehicle trips to and from Logan International Airport ("Logan Airport") and to reduce the amount of carbon monoxide in the vicinity of the Callahan and Sumner Tunnels to a level consistent with the national primary ambient air quality standards. These studies may be combined into one or more joint studies. These studies shall contain recommendations for control measures to be implemented prior to May 31, 1977. Measures to be studied shall include but need not be limited to, the following:

(1) Incentives and programs for reductions in the use of single-passenger vehicles through the Callahan and Sumner Tunnels;

(2) Alterations in traffic patterns in the tunnel area;

(3) Use of exclusive lanes for buses, carpools, taxis and limousines during peak travel hours;

(4) Reduction of parking spaces at Logan Airport and increased parking charges at remaining spaces;

(5) Construction of satellite terminal facilities for Logan Airport;

(6) Use of alternate modes of transportation for trips to and from Logan Airport, and establishment of facilities at Logan Airport to accommodate such modes;

(7) Improved transit service between the Blue Line subway stop and airline terminals at Logan Airport; and

(8) Any other measures which would be likely to contribute to achieving the required reductions.

(b) Massport shall monitor the number of vehicles entering and leaving Logan Airport so as to provide the Secretary of Transportation for the Commonwealth (the "Secretary") with reports on a semi-annual basis, beginning on January 30, 1976, showing total vehicle trips per day for the six-month period ending on the previous December 31 or June 30, presented and tabulated in a manner prescribed by the Secretary.

(c) Massport shall, on or before June 30, 1976, prepare and submit to the Secretary draft legislation which, if enacted into law, would alleviate local licensing problems of bus and limousine companies in order to facilitate increased and improved bus and limousine service for travelers using Logan Airport.

(d) Massport shall negotiate with the Massachusetts Bay Transportation Authority to increase the convenience of the mass transit services currently available to travelers to Logan Airport.

(e) Massport shall, on or before June 30, 1976, establish and maintain a program (which shall include the enclosure of this information in tickets or folders mailed by airlines using Logan Airport) to publicize the advantages in costs and convenience of the use of mass transit or other available transportation services by travelers using the airport, and making known to such persons the schedules, routes, connections, and other information necessary for them to conveniently use mass transit and such other services.

(f) Massport shall, on or before October 15, 1975, establish a carpool program at Logan Airport, which shall include the elements specified in paragraphs (b)(7) (A) through (C) of § 52.1161. For the purpose of applying the requirements of § 52.1161 to the present paragraph:

(1) The definitions in § 52.1161 shall apply;

(2) Each employer with any employment facility at Logan Airport shall cooperate with Massport in the development and implementation of the program;

(3) Any such employer (including Massport) may fulfill its obligations under paragraph (b)(7) of § 52.1161 by fully cooperating with and participating in the Logan Airport carpool program (including bearing its proportional share of the program's cost); and

(g) Massport shall, on or before October 15, 1975, implement a program of systematic dissemination to employers and employees at Logan Airport of information regarding the Massachusetts Bay Transportation Authority pass program, bus and train schedules and rates, park-and-ride facilities, and other transportation programs and services available to employees at Logan Airport.

(h) Massport shall, on or before January 1, 1976, implement and maintain a program to allow all employees at Logan Airport, regardless of the size of the particular employment facility at which they work, to participate in any available pass program made available by the Massachusetts Bay Transportation Authority, including the use of Massport as a central clearinghouse for the purpose of aggregating employees and for fiscal management of such pass program.

[40 FR 25169, June 12, 1975]

§ 52.1164 Localized high concentrations—carbon monoxide.

(a) Not later than October 1, 1975, the Commonwealth shall have developed and have begun to implement a program to identify urban and suburban core areas and roadway/intersection complexes within the Boston Intrastate Region which violate the national ambient air quality standards for carbon monoxide. Once such localized areas have been identified, the Commonwealth, in cooperation with the affected local municipalities, shall develop and implement appropriate control strategies to insure that such air quality standards will be achieved at such areas. Plans shall be developed to include provisions for the entire municipality in order to insure that the implemented strategies will not create carbon monoxide violations elsewhere in the vicinity after the measures have been applied.

(b) To accomplish the requirements of paragraph (a) of this section, the Commonwealth shall do the following:

(1) Identify areas of potentially high carbon monoxide concentrations by reviewing all available traffic data, physical site data and air quality and meteorological data for all major intersections and roadway complexes within the Region. The Regional Administrator will provide general guidance on area designations to assist in the initial identification process.

(2) Areas identified under paragraph (b)(1) of this section shall be studied in further detail, including meteorological modeling, traffic flow monitoring, air quality monitoring and other measures necessary to accurately quantify the extent and actual levels of carbon monoxide in the area. A report containing the results of these analyses and identifying such areas shall be submitted to the Regional Ad-

ministrator no later than March 1, 1976.

(3) If, after the completion of actions required by paragraph (b)(2) of this section, an area shows or is predicted to have violations of the carbon monoxide standard, the Commonwealth, in cooperation with the affected municipality, shall submit a plan to the Regional Administrator containing measures to regulate traffic and parking so as to reduce carbon monoxide emissions to achieve air quality standards in the area. Such plan shall include: the name of the agency responsible for implementing the plan, all technical data and analyses supporting the conclusions of the plan, all control strategies adopted as part of the plan, and other such information relating to the proposed program as may be required by the Regional Administrator. The Regional Administrator shall provide general guidance on applicable control strategies and reporting formats to assist in plan development and submittal. Such a plan shall be submitted for each municipality which contains one or more identified areas no later than October 1, 1975 for Waltham and October 1, 1976, for other areas.

(4) All measures called for in the plan submitted under paragraph (b)(3) of this section shall be subject to the approval of the Regional Administrator and shall be implemented by May 31, 1977.

(c) The Commonwealth shall annually review the effectiveness of the control strategies developed pursuant to this section and modify them as necessary to insure that such carbon monoxide standards will be attained and maintained. The results of this review and any changes in the measures which the Commonwealth recommends as a result thereof shall be reported to the Regional Administrator annually as required under § 52.1160.

(d) Prior to submitting any plan to the Regional Administrator under paragraph (b)(3), the Commonwealth shall give prominent public notice of the general recommendations of such plan, shall make such plan available to the public for at least 30 days and permit any affected public agency or member of the public to comment in writing on such plan. The Commonwealth shall give the Regional Administrator timely notice of any public hearing to be held on such plan and shall make all comments received available to the Regional Administrator for inspection and copying.

[40 FR 25170, June 12, 1975]

§ 52.1165 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulation for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (v) are hereby incorporated and made a part of the applicable State plan for the State of Massachusetts.

[43 FR 26410, June 19, 1978]

§ 52.1166 [Reserved]

§ 52.1167 EPA-approved Massachusetts state regulations.

The following table identifies the State regulations which have been submitted to and approved by EPA as revisions to the Massachusetts State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.1120. To the extent that this table conflicts with § 52.1120, § 52.1120 governs.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.00	Definitions	2/14/85	9/25/85	50 FR 38804	64	Motor vehicle fuel.
		2/21/86; 2/25/86; 6/23/86	8/31/87	52 FR 32792	73	Two new definitions and one amended definition.
	Statutory authority; legend; preamble; definitions.	11/5/86; 12/10/86	11/19/87	52 FR 44395	74	Approving the addition of definitions for synthetic organic chemical manufacturing facility, component, in gas service, light liquid, in light liquid service, leak, leaking component, monitor, repair, unit turnaround, in VOC service, quarterly, and pressure relief valve.
310 CMR 7.00 and 7.02(12)(c).		2/14 and 5/22/85	9/25/85	50 FR 38806	64	Motor vehicle fuel tank trucks.
310 CMR 7.02	Plans and approval and emission limitations.	4/27/72	10/28/72	37 FR 23085	2	
		8/28/72	10/28/72	37 FR 23085	4	
		5/27/82 9/9/82	1/10/84	49 FR 1167	60	7.02(2)(b)(4) and 7.02(2)(8) for new source review.
		12/3/85 1/31/86 2/11/86	11/25/86	51 FR 42564	69	Adds the word "major" before the word "modification" at 7.02(2)(b).
310 CMR 7.02(11).	Emission limitations for incinerators.	2/01/78	3/15/79	44 FR 15704	18	Adds an emission limitation for sewage sludge incinerators.
310 CMR 7.02(12)(a)(b).	Organic material, bulk plants and terminals handling organic material.	12/31/78 5/16/79	9/18/80	45 FR 61293	30	
310 CMR 7.02(12)(a)1e.	Gasoline liquid storage in external floating roof tanks.	12/02/83	3/8/84	49 FR 8611	58	Approved for secondary seals or equivalent weather roofs.
310 CMR 7.02(12)(b)2.	Stage I vapor recovery	5/20/77	5/25/78	43 FR 22356	15	Provisions for Pioneer APCD Stage I vapor recovery.
		12/31/78 5/16/79	9/18/80	45 FR 61293	30	
		3/25/83	7/07/83	48 FR 31200	55	Exempt Berkshire APCD.
310 CMR 7.02(12) (c) and (d).	Gasoline Tank Trucks	2/14/85 5/22/85	9/25/85	50 FR 38804	64	Tank trucks.
310 CMR 7.04(5)	Fuel oil viscosity	12/28/78	6/17/80	45 FR 40987	29	For Cambridge Electric Light Company's Kendall Station, and Blackstone Station.
		12/28/78	10/18/80	45 FR 48131	29	Correction notice.
310 CMR 7.05	Sulfur-in-fuel	8/28/72	10/29/72	37 FR 23058	4	
		7/05/78	2/07/79	44 FR 7712	17	Approves the burning of coal/oil slurry at New England Power Company, Salem Harbor Station, MA.
310 CMR 7.05(1)(a).	Sulfur content of fuels and control thereof for Berkshire APCD.	4/14/77	3/24/78	43 FR 12324	13	Approves the burning of 1% for all but: Crane and Company Inc., and Schweitzer Division, Kimberly Clark Corporation, Columbia Mill.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
		4/14/77 8/11/78 8/31/78	3/07/79	44 FR 12422	13	Approves the burning of 2.2% at Crane & Co., Inc., and Schweitzer Division, Kimberly-Clark Corp., Columbia Mill.
		11/08/82	4/28/83	48 FR 19172	54	Approves burning of 2.2% at Esleeck Manufacturing Company, Inc., provided the fuel firing rate does not exceed 137.5 gallons per hour.
310 CMR 7.05(1)(b).	Sulfur content of fuels and control thereof for Central APCD.	6/25/76	2/15/77	42 FR 9176	10	Approves the burning of 2.2% until 7/1/78 for 100 mBtu sources listed in 52.1126.
		3/29/76 5/25/76	5/19/77	42 FR 25730	11	Approves burning of 2.2% at James River Associates, Inc. and part of Fitchburg Paper Company, April through October. November through March, they are limited to burning 1% sulfur-in-fuel oil.
		6/25/76 6/22/77	6/21/78	43 FR 26573	10	Extends expiration date to 6/21/78.
		3/02/79	7/18/79	44 FR 41180	24	Permanent extension for certain sources to burn 2.2% under specified conditions.
	Sulfur content of fuels and control thereof for central APCD.	9/28/79	6/17/80	45 FR 40987	24	Approves the burning of 2.2% at Fitchburg Paper (55 Meter stacks only) for James River, Massachusetts, Inc., year round.
		3/20/80	9/10/80	45 FR 59578	31	Approves the temporary burning of 2.2% at Seaman Paper Co., Templeton.
		3/02/79 5/05/81	9/17/81	46 FR 46133	33	Approves the burning of 2.2% at Millers Falls Paper Co.
310 CMR 7.05(1)(c).	Sulfur content of fuels and control thereof for Merrimack Valley.	6/04/76	12/30/76	41 FR 56804	8	Approves the burning of 2.2% except at those sources listed in 52.1126.
		1/28/76 12/30/76	7/12/77	42 FR 35830	8	Approves burning of 1.4% at Haverhill Paperboard Corp., Haverhill, MA.
		1/28/76 6/22/77 12/30/76	6/21/78	43 FR 26573	8	Extends expiration date to 7/1/79.
		12/28/78	5/21/79	44 FR 29453	20	Permanent extension to burn 2.2%.
310 CMR 7.05(1)(d).	Sulfur content of fuels and control thereof for Metropolitan Boston APCD.	7/11/75 9/18/75	12/05/75	40 FR 56889	6	Approves burning of 1% for large electric generating facilities in certain cities and towns and 2.2% for smaller facilities. Effective 7/1/75 to 7/1/77.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
	Sulfur content of fuels and control thereof for Metropolitan Boston APCD.	7/11/75 4/01/77	8/22/77	42 FR 42218	6	Extends expiration date from 7/1/77 to 7/1/78 except for Eastman Gelatin Corp., which must burn 1%.
		4/20/78	11/30/78	43 FR 56040	8	Extends expiration date from 7/1/78 to 7/1/79.
		12/29/78	5/21/79	44 FR 29453	20	Permanent extension to burn 2.2%.
		4/25/80	1/27/81	46 FR 8476	34	Approves the burning of 2.2% at Natick Paperboard Corp.
		11/25/80	8/11/81	46 FR 40686	38	Approves the increase to 2.2% at Boston Edison Mystic Generating Station for 30 months from 8/11/81 (expires 2/11/84).
		7/14/81	12/16/81	46 FR 61123	41	Approves burning of 2.2% at Haverhill Paper Corp.
		11/27/79	12/15/80	45 FR 82251	32	Allows the burning of 2.2% at Proctor and Gamble.
		9/24/81	12/15/81	46 FR 61118	43	Approves burning of 2.2% at Eastman Gelatin Corp.
		12/7/83	9/25/84	49 FR 37592	65	Approves burning of 2.2% at Boston Edison Mystic Generating Station until 3/25/87.
310 CMR 7.05(1)(e).	Sulfur content of fuels and control thereof for Pioneer Valley APCDs.	7/22/77	2/01/77	42 FR 5957	9	Approves 2.2% except for sources listed in 52.1125.
		7/22/78 8/22/77 12/27/77	6/21/78	43 FR 26573	9	Extends expiration date to 7/1/79.
		1/03/79	5/21/79	44 FR 29453	21	Permanent extension to burn 2.2%
		3/02/80	1/19/81	45 FR 4918	33	Approves the burning of 2.2% at all sources in Franklin and Hampshire Counties rated at less than 100 mBtu except Esleek Manufacturing Co., and Millers Falls Paper Co.
		10/13/81	2/10/82	47 FR 6011	45	Approves the burning of 2.2% at Holyoke Gas and Electric Department, Holyoke, MA.
310 CMR 7.05(1)(f).	Sulfur content of fuels and control thereof for Southeastern APCD.	12/30/76	9/02/77	42 FR 44235	12	Approves burning of 2.2% for sources listed in 52.1126, all others must continue to burn 1%.
		12/30/76 1/31/78	9/08/78	43 FR 40010	12	Extends expiration date from 5/1/78 to 7/1/79.
		1/31/79	5/21/79	44 FR 29453	22	Permanent extension to burn 2.2%.
310 CMR 7.05(4) ...	Ash content of fuels for Pioneer Valley for APCD.	1/03/79	5/21/79	44 FR 29453	21	
	Ash content of fuels for Metropolitan Boston APCD.	7/20/79	5/21/79	44 FR 29453	23	

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
	Ash content of fuels	12/3/85 1/31/86 2/11/86	11/25/86	51 FR 42564	69	Includes Berkshire Air Pollution Control District to 7.05(4)(b)(2) so facilities in that district can apply to burn fossil fuel with an ash content in excess of 9 pct by dry weight.
310 CMR 7.06	Visible emissions	8/28/72	10/28/72	37 FR 23085	4	
		7/05/78	2/07/79	44 FR 7712	17	Approves New England Power Company, Salem Harbor Station to burn a coal oil slurry.
		12/28/79	8/12/80	45 FR 53476	17	Extension of temporary revision to allow exceedance of 20% capacity limit at New England Power Company's Salem Harbor Station, Salem, MA Unit 1 so can burn 30% coal/70% oil mixture until 12/31/80.
310 CMR 7.07	Open burning	12/09/77	9/29/78	43 FR 44841	16	Two revisions with conditions to permit open burning of brush cane, driftwood and forest debris for 2 months of the year.
	Open burning	9/28/79	6/17/80	45 FR 40987	27	Approves open burning (as in (c) 16) from 1/15 to 5/1 in certain areas of the State.
310 CMR 7.08	Incinerators	6/28/72	10/28/72	37 FR 23085	4	
310 CMR 7.09	Dust and odor	8/28/72	10/28/72	37 FR 23085	4	
		12/09/77	9/29/78	43 FR 44841	16	Adds a requirement that mechanized street sweeping equipment must be equipped and operated with a suitable dust collector or suppression system.
310 CMR 7.15	Asbestos application	8/28/72	10/28/72	37 FR 23085	4	
310 CMR 7.16	Reduction to single passenger commuter vehicle use.	5/20/77	5/25/78	43 FR 22356	15	For Pioneer Valley APCD.
		12/31/78 5/16/79	9/16/80	45 FR 61293		Reduction of single occupant commuter vehicles.
310 CMR 7.17	Coal conversion	8/07/78	5/14/79	44 FR 27991	19	Brayton Point Station, New England Power Company.
		1/22/82	6/09/82	47 FR 25007	49	Mount Tom Plant, Holyoke, MA Holyoke Water Power Company.
310 CMR 7.18(2)(b).	Generic VOC bubble for surface coaters.	3/06/81 11/12/81	3/29/82	47 FR 13143	42	Includes surface coating of metal cans, large appliances, magnet wire insulation, automobiles, paper fabric and vinyl.
	Generic VOC bubble for surface coaters.	6/24/80	7/12/82	47 FR 30060	47	Adds metal coils.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
		7/21/81 3/10/81	6/02/82	47 FR 23927	48	Adds miscellaneous metal parts and products and graphic arts-rotogravure and flexography.
		9/09/82	2/3/83	48 FR 5014	53	Adds metal furniture.
310 CMR 7.18(3)	Metal furniture surface coating.	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(4)	Metal can surface coating	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(5)	Large appliances surface coating.	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
		9.09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(6)	Magnet wire insulation surface coating.	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(7)	Automobile surface coating	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
		9/09/82	11/09/83	45 FR 51480	53	Adds test methods.
310 CMR 7.18(8)	Solvent metal degreasing	12/31/78 5/16/79	9/16/80	45 FR 61293	30	Conditional approval requiring controls for small solvent metal degreasers.
		8/13/83	11/09/83	48 FR 51480	53	Approves public education program for small degreasers and removes conditional approval.
310 CMR 7.18(9)	Cutback asphalt	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
		9/09/82	11/09/83	48 FR 51480	53	Adds an exemption.
310 CMR 7.18(10).	Surface coating of metal coils.	6/24/80	7/12/82	47 FR 30060	47	Approves and adds to 310 CMR 7.18(2)(b).
		9/30/82	11/09/83	48 FR 51480	53	Adds test methods and removes extended compliance schedule.
310 CMR 7.18(11).	Surface coating of miscellaneous metal parts and products.	7/21/81 3/10/82	6/02/82	47 FR 23927	48	Adds to 310 CMR 7.18(2)(b).
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(12).	Graphic arts-rotogravure and flexography.	7/21/81 3/10/82	6/02/82	47 FR 23927	48	Adds to 310 CMR 7.18(2)(b).
		9/09/82	11/09/83	48 FR 51480	53	
310 CMR 7.18(13).	Perchloroethylene dry cleaning systems.	7/21/81 3/10/82	6/02/82	47 FR 23927	48	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(14).	Paper surface coating	3/06/81	3/08/82	47 FR 9836	40	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(15).	Fabric surface coating	3/06/81	3/08/82	47 FR 9836	40	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.18(16).	Vinyl surface coating	3/06/81	3/08/82	47 FR 9836	40	
		9/09/82	11/09/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(17).	RACT	9/09/82	11/09/83	48 FR 51480	53	All 100 ton per year sources not covered by a CTG.
310 CMR 7.18(18).	Polystyrene Resin Manufacture.	2/21/86; 2/25/86; 6/23/86	8/31/87	52 FR 32792	73	Regulation pursuant to Group III CTG, "Control of VOC Emissions from the Manufacture of Polystyrene Resins".
310 CMR 7.18(19).	Synthetic organic chemical manufacture.	11/5/86; 12/10/86	11/19/87	52 FR 44395	74	
310 CMR 7.19	Interim sulfur-in-fuel limitations for fossil fuel utilization facilities pending conversion to an alternate fuel or implementation of permanent energy conservation measures.	9/12/80	3/19/81	46 FR 17561	37	Energy/environment initiative.
		12/29/81	4/13/82	47 FR 15790	46	ATF Davidson Company, Northbridge, MA temporary sulfur-in-fuel revision until 12/1/83.
		9/28/82	12/01/82	47 FR 54072	52	Polaroid Corp., Waltham, MA temporary sulfur/in/fuel relaxation until 6/1/85.
			6/02/83	48 FR 24669	52	Correction notice.
		9/29/82	11/23/82	47 FR 52704	51	Northeast Petroleum Corp., Chelsea, MA sulfur content increase from 0.28 to 0.55 lbs/mBtu heat release potential permanently.
		4/04/83	3/23/84	49 FR 11092	59	Stanley Woolen Co., Uxbridge, to burn 2.2% until 9/23/86.
		10/31/83	3/23/84	49 FR 11091	61	Reed and Barton Silversmiths, Taunton, to burn 2.2% until 9/23/86.
		11/16/83	7/30/84	49 FR 30306	62	ATF Davidson Company, Northbridge, to burn 2.2% permanently.
		2/2/84	6/15/84	49 FR 24723	63	American Biltrite Corporation, Chelsea, to burn 1.0% until 12/15/86.
		7/11/84	9/25/84	49 FR 37591	67	James River Corporation, Hyde Park Mill, Boston to burn 2.2% until 3/25/87.
		2/08/85, 10/23/85	4/1/86	51 FR 11021	66	Phillips Academy, Andover, MA to burn 2.2% until September 1, 1988.
	Interim sulfur-in-fuel limitations for fossil fuel utilities pending conversion to an alternative fuel or implementation of permanent energy conservation measures.	2/19/86	8/12/86	51 FR 28814	70	Mary Ellen McCormick and Malverick Family Devecopment facilities in the Boston Housing Authority, Boston to burn 2.2% until February 12, 1989.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued

[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
		5/12/86	11/25/86	51 FR 42565	71	Mission Hill Extension Family Development facility, in the Boston Housing Authority, Boston, MA to burn 2.2% until May 25, 1988.
310 CMR 7.50	Variances, regulations for control of air pollution in the six MA APCDs.	9/14/74	10/08/76	41 FR 44395	7	
		9/14/74	2/04/77	42 FR 6812	7	Correction.
310 CMR 7.51	Hearings relative to orders and approvals.	8/28/72	10/28/72	37 FR 23085	4	
310 CMR 7.52	Enforcement provisions	8/28/72	10/28/72	37 FR 23085	4	
310 CMR 8	Regulations for the prevention and/or abatement of air pollution episode and air pollution incident emergencies.	2/22/72	10/28/72	37 FR 23085	1	
		12/30/78	9/02/77	42 FR 44235	12	Changes significant harm and alert levels.

NOTES:

1. This table lists regulations adopted as of 1972. It does not depict regulatory requirements which may have been part of the Federal SIP before this date.

2. The regulations are effective statewide unless stated otherwise in comments or title section.

[49 FR 49454, Dec. 20, 1984, as amended at 50 FR 38806, Sept. 25, 1985; 51 FR 11021, Apr. 1, 1986; 51 FR 28814, Aug. 12, 1986; 51 FR 40801, Nov. 10, 1986; 51 FR 42564, Nov. 25, 1986; 52 FR 32793, Aug. 31, 1987; 52 FR 44395, Nov. 17, 1987]

§ 52.1168 Certification of no sources.

The Commonwealth of Massachusetts has certified to the satisfaction of EPA that no sources are located in the Commonwealth which are covered by the following Control Techniques Guidelines:

(a) Large Petroleum Dry Cleaners.

(b) Natural Gas/Gasoline Processing Plants.

(c) Air Oxidation Processes/SOCMI.

(d) Polypropylene/Polyethylene Manufacturing.

[52 FR 32792, Aug. 31, 1987]

§ 52.1169 Stack height review.

The Commonwealth of Massachusetts has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on April 8, 1986. The Commonwealth has further declared in a letter from Bruce K. Maillet, dated June 24, 1986, that, "[A]s part of our new source review activities under the Massachusetts SIP and our delegated PSD authority, the Department of Environmental Quality Engineering will follow EPA's stack height regulations, as revised in the FEDERAL REGISTER on July 8, 1985 (50 FR 27892)." Thus, the Commonwealth has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

Subpart X—Michigan

§ 52.1170 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Suspended Particulates Sulfur Oxides, Carbon Monoxide, Hydrocarbons, Nitrogen

Oxides, and Photochemical Oxidants in the State of Michigan."

(b) The plan was officially submitted on February 3, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Re-evaluation of control strategies for Berrien and Ingham Counties were submitted on March 3, 1972, by the State Air Pollution Office.

(2) Amendments to the Michigan air pollution rules for the control of SO_x emissions (Part 3) and the prevention of air pollution episodes (Part 6) submitted by the Governor on March 30, 1972.

(3) An amendment to the Grand Rapids air pollution ordinance (section 9.35 and section 9.36) was submitted on May 4, 1972, by the Grand Rapids Department of Environmental Protection.

(4) Reasons and justifications concerning general requirements of control strategy for nitrogen dioxide, compliance schedules, and review of new sources and modifications submitted on July 12, 1972, by the Governor.

(5) A letter from the State Department of Public Health submitted on July 24, 1972, described how emissions data would be made available to the public.

(6) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources on February 16, 1973.

(7) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources on May 4, 1973.

(8) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources on September 19, 1973.

(9) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources on October 23, 1973.

(10) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources on December 13, 1973.

(11) Air Quality Maintenance Area identifications were submitted on June 27, 1974, by the State of Michigan Department of Natural Resources.

(12) Air Quality Maintenance Area identifications were submitted on October 18, 1974, by the State of Michigan Department of Natural Resources.

(13) Provisions to disapprove an installation permit if the applicant source would interfere with the attainment or maintenance of national air quality standards were submitted by the Governor on January 25, 1974.

(14) Order extending the final compliance dates for meeting the sulfur dioxide emission limitation was submitted by the Michigan Department of Natural Resources for the Karn, Weadock and Cobb Plant Units of the Consumers Power Co.

(15) Order extending compliance date for meeting the sulfur dioxide emission limitation was submitted by the State of Michigan Department of Natural Resources for the Detroit Edison Company, Monroe County Plant on December 12, 1977.

(16) On April 25, 1979, the State submitted its nonattainment area plan for areas designated nonattainment as of March 3, 1978 and as revised on October 5, 1978. This submittal contained Michigan's Part D attainment plans for particulate matter, carbon monoxide, sulfur dioxide, transportation and new source review, plus a copy of Michigan's existing and proposed regulations. USEPA is not taking action at this time to include in the federally approved SIP certain portions of the submittal: Provisions in R 336.1310 concerning open burning; 336.1331, insofar as it may pertain to process sources in the iron and steel category and site specific revisions; 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356 and 1357 as they pertain to specific iron and steel source operations; Part 5, Extension of Sulfur Dioxide Compliance Date for Power Plants Past January 1, 1980; Part 7, Emission Limitations and Prohibitions—New Sources of Volatile Organic Compound Emissions; R336.1701-1710 controlling minor sources of volatile organic compounds; Part 11, Continuous Emission Monitoring; Part 13, Air Pollution Episodes; Part 16, Organization and Procedures; and Part 17, Hearings.

(17) On October 12, 1979, the State submitted comments and commitments in response to USEPA's notice of proposed rulemaking.

(18) On January 9, 1980, the State submitted a copy of the finally adopted rules of the Commission. These rules became fully effective on January 18, 1980. These finally adopted rules are identical to the rules submitted on April 25, 1979, as part of Michigan's Part D nonattainment area plan except for a modification in the numbering system. Paragraph (c)(16) of this subpart identifies those rules on which USEPA has not taken action.

(19) On February 6, 1980, the State submitted the visible emission test method for stationary sources referenced in Rule 336.1303 as being on file with the Michigan Air Pollution Control Commission. On March 7, 1980, the State submitted clarifications to the visible emissions test method.

(20) On March 31, 1980, the State submitted revisions to the conditional approval schedules for total suspended particulates.

(21) On July 25, 1979, the State submitted the official ozone attainment plan as part of the State Implementation Plan.

(22) On October 26, 1979, the State submitted comments and revisions to the transportation plans and vehicle inspection/maintenance portions of the State Implementation Plan for ozone in response to USEPA's notice of proposed rulemaking (45 FR 47350).

(23) On November 8, 1979, the State submitted revisions to the ozone attainment plan.

(24) On December 26, 1979, the State submitted comments and additional information from the lead local agencies on the transportation control plans for the Flint, Lansing, Grand Rapids and Detroit urban areas.

(25) On May 12, 1980, the State submitted corrections and comments in response to USEPA's notice of proposed rulemaking (45 FR 25087).

(26) On March 20, 1980, the State submitted commitments and additional revisions to the Inspection/Maintenance program for the Detroit urban area.

(27) On February 23, 1979, compliance schedules were submitted by the State of Michigan, Department of Natural Resources to USEPA for the Detroit Edison, St. Clair Power Plant. Additional material concerning the Final Order issued to the Detroit Edison, St. Clair Power Plant was submitted on June 17, 1979 and August 14, 1979.

(28) On August 22, 1979, the State of Michigan submitted to USEPA an Administrative Order, for the Lansing Board of Water and Light (Order No. 4-1979, adopted May 23, 1979). In letters dated February 13, 1980 and April 1, 1980, the State of Michigan withdrew certain paragraphs (sections A, B, C1, D, E, F, and G) of the Order from consideration by USEPA.

(29) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources to USEPA on October 26, 1979, for the Dundee Cement Company, Monroe County (Michigan Final Order, APC No. 08-1979, adopted October 17, 1979).

(30) On July 26, 1979, the State of Michigan submitted to USEPA a revision to Rule 336.49 for the Consumers Power Company's J. H. Campbell Plant. The revision is a Final Order (No. 05-1979) extending the compliance date until January 1, 1985 for the Campbell Plant to meet the sulfur dioxide emission limitations in Rul 336.49. On February 14, 1980, the State of Michigan submitted t USEPA an amendment to Order No 05-1979.

(31) Compliance schedules were submitted by the State of Michigan, Department of Natural Resources t USEPA on November 13, 1979, for th S. D. Warren Company, Muskegon County (Michigan Final Order, No 09-1979, adopted October 31, 1979).

(32) On December 19, 1979, the Stat of Michigan submitted a revision t provide for modification of the existing air quality surveillance network.

(33) On December 10, 1979, the Stat of Michigan submitted to USEPA Final Order (APC No. 6-1979) issue by the Michigan Air Pollution Contr Commission to the Consumers Powe Company B.C. Cobb Plant. The Orde requires the source to utilize 2.5 sulfur on an annual basis until January 1, 1985 when the company mus meet the sulfur dioxide (SO_2) emissio limitation in Michigan Rule 336.1401.

(34) On January 8, 1980, the State o Michigan submitted to USEPA a Fina

Order (APC No. 14-1979) requested of the Michigan Air Pollution Control Commission (MAPCC) by the Union Camp Corporation in Monroe County, Michigan. The Order permitted the Union Camp Corporation to burn 2.7% sulfur fuel on an annual average and 4.0% sulfur fuel on a daily average between January 1, 1980 and July 1, 1980. Beginning July 1, 1980 until July 1, 1982 the Company is permitted to burn 2.5% sulfur fuel on an annual average and 4.0% sulfur fuel daily average. Beginning July 1, 1982 until January 1, 1985, the Company is allowed to burn 2.2% sulfur fuel annual average and 3.5% sulfur fuel daily average. After January 1, 1985; the Company has agreed to comply with the SO_2 emission limitations of 1.5% sulfur fuel required in Michigan Rule 336.1401.

(35) On August 4, 1980 and August 8, 1980, the State of Michigan submitted to EPA additional information on the transportation control plan for the Niles, Michigan urbanized area.

(36) On January 10, 1980, the State of Michigan submitted to USEPA a Final Order (APC No. 16-1979) issued by the Michigan Air Pollution Control Commission to the Northern Michigan Electric Cooperative Advance Steam Plant. The Order allows the source to continue burning 2.0% sulfur coal (maximum daily average) until January 1, 1985 when the Company must meet the sulfur dioxide (S02) emission limitations in Michigan Rule 336.1401.

(37) On November 26, 1980, the State submitted a schedule to correct plan deficiencies cited by USEPA in its September 9, 1980 notice of proposed rulemaking on a portion of Michigan's Part D TSP control strategy pertaining to iron and steel sources. On April 1, 1981, the State submitted a revised schedule. USEPA has not taken action on the schedule submitted by the State.

(38) On April 10, 1981 the Governor of Michigan committed to annually administer and submit the questionnaire developed for the purposes of section 128.

(39) On July 28, 1980, the State of Michigan submitted to EPA, as revisions to the Michigan SIP, amendments to Rules 283 and 610 of the Michigan Air Pollution Control Commission.

(40) Revised compliance schedules were submitted by the State of Michigan, Department of Natural Resources (MDNR) to EPA on January 14, 1981, for the Dundee Cement Company, Monroe County (Michigan Final Order, APC No. 16—1980, adopted November 19, 1980). The revised Order provides an earlier final compliance date of December 31, 1980 for reducing the particulate matter emissions to 0.20 pounds per 1,000 pounds of exhaust gases and December 31, 1981 for visible emission reductions from the Company's cement kilns.

(41) On April 25, 1979, the State submitted materials which satisfy the intergovernmental consultation process.

(42) On July 28, 1980, the State submitted an amendment to Michigan Air Pollution Control Commission Rule 221 which exempts minor sources of particulate matter and sulfur dioxide from the offset requirements.

(43) On August 25, 1981, the State of Michigan, Department of Natural Resources (MDNR), submitted to EPA Consent Order No. 16-1981 for the Marathon Oil Company in Muskegon County. Consent Order No. 16-1981 satisfies USEPA's conditional approval of R336.1603 by providing detailed compliance schedules containing the increments of progress required by 40 CFR 51.15.

(44) On September 1, 1981, the State of Michigan, Department of Natural Resources (MDNR) submitted to USEPA a revision to its R336.1220 requiring offsets in ozone nonattainment areas to exempt the same compounds listed in EPA's Federal Register of July 22, 1980 (45 FR 48941). The revised R336.1220 also allows offsets of emissions for new sources in any of the seven counties in the southeastern Michigan ozone nonattainment area to be obtained from any of those counties, not just the county in which the new source is locating (Wayne, Oakland, Macomb, St. Clair, Washtenaw, Livingston, and Monroe).

(45) On May 24, 1980, the State of Michigan, Department of Natural Resources (MDNR) submitted Consent Order APC No. 10-1979 for the Buick

Motor Division Complex (BMDC) of the Buick Motors Division, General Motors Corporation. The BMDC is located in the City of Flint, Genesee County, a primary nonattainment area. On December 2, 1980, supplementary information was submitted by MDNR. The Consent Order contains enforceable emission limitations and control measures for the attainment of the primary TSP standards in Genesee County by December 31, 1982.

(46) On July 17, 1980, the State of Michigan, Department of Natural Resources (MDNR) submitted Consent Order APC No. 01-1980 for the Grey Iron Casting Plant and the Nodular Iron Casting Plant, of the Chevrolet Motor Division, General Motors Corporation. The two plants are located in Saginaw County, a primary nonattainment area. On September 5, 1980 and February 6, 1981, supplementary information was submitted by MDNR. The Consent Order contains enforceable emission limitations and control measures for the attainment of the primary TSP standards in Saginaw County by December 31, 1982.

(47) On March 4, 1981, the State of Michigan, Department of Natural Resources (MDNR) submitted Consent Order APC No. 12-1980 for the New Haven Foundry located in Macomb County, a secondary nonattainment area. The Consent Order contains enforceable emission reductions to achieve the secondary TSP standards by June 30, 1985.

(48) On May 1, 1981, the State of Michigan, through the Department of Natural Resources, submitted Consent Order 07-1981 for the Detroit Edison Company, Boulevard Heating Plant located in the City of Detroit, Wayne County. Under Michigan Rule 336.1331(1)(a), the plant was restricted to a particulate emission limit of 0.45 pounds of particulate per 1000 pounds flue gas or an equivalent of 410 tons per year. The Consent Order, pursuant to Michigan Rule 333.1331(1)(d), establishes a new limitation for the Boulevard Plant of 0.65 pounds per 1000 pounds of flue gas with a daily limit of 0.9 tons per day and 10 tons per year. Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator certified on January 27, 1981 (46 FR 8709) that the attached rule will not have a significant economic impact on a substantial number of small entities.

(49) On March 7, 1980 and April 21, 1981 the State of Michigan submitted particulate studies for the Detroit area. These studies satisfy EPA's conditional approval and the State's commitment.

(50) On October 22, 1981, the State of Michigan submitted as a SIP revision Consent Order No. 17-1981, between Conoco, Inc., and the Michigan Air Pollution Control Commission. The Consent Order establishes a compliance schedule for Conoco, Inc. to achieve the Volatile Organic Compounds (VOC) limitations in R336.1609 by December 31, 1982.

(51) On December 27, 1979, the State of Michigan, Department of Natural Resources (MDNR), submitted to EPA a revision to the State Implementation Plan (SIP) for Lead. On February 9, 1981, the State of Michigan submitted a letter clarifying provisions of its Lead SIP. The SIP provides for the implementation of measures for controlling lead emissions for the attainment and maintenance of the national ambient air quality standards for lead in Michigan by October 31, 1982.

(52) On June 26, 1981, the State of Michigan, Department of Natural Resources, submitted to EPA Consent Order No. 12-1981 for controlling particulate emissions from the liquid waste incinerator in Building 830 at the Dow Chemical Company's Midland plant. The Consent Order provides a schedule which establishes a final particulate emissions compliance date of October 1, 1982.

(53) On August 24, 1981, the State o Michigan, Department of Natural Resources, submitted to EPA Consen Order APC No. 19-1981 for controlling particulate emissions from Dow's Wes Side and South Side powerplants. On October 16, 1981, the State of Michigan submitted a letter to EPA clarifying specific sections intended fo EPA's rulemaking action. All particulate emission sources at Dow mus comply with various parts of Michigan's SIP by December 31, 1985. Th

Consent Order does not interfere with the attainment of the primary particulate NAAQS standard by December 31, 1982 or the secondary particulate NAAQS by October 1, 1984.

(54) On December 16, 1981, the State of Michigan submitted to EPA Consent Order APC No. 21-1981 for the Monitor Sugar Company. Consent Order APC No. 21-1981 provides for additional controls on its coal-fired boilers, 1, 2, 3, and 4 and establishes a final compliance date of October 15, 1982 for attaining the primary National Ambient Air Quality Standards.

(55) On January 7, 1982, the State of Michigan submitted to EPA Consent Order APC No. 23-1981 for the Traverse City Board of Light and Power. Consent Order APC No. 23-1981 limits the company's operation of its No. 1 and No. 2 coal-fired boilers after December 31, 1982; provides for additional controls on its No. 4 coal-fired boiler; and establishes a final compliance date of December 31, 1982.

(56) On September 2, 1981, the State of Michigan submitted a revision to the ozone plan consisting of RACT requirements for the control of volatile organic compound emissions from stationary industrial sources (Group II) referenced in Rules R336.1101-3, 5-9, 14-16, 18-21, 23; R336.1601, 3-4, 10, 19-27; and R336.2005.

(57) On March 3, 1982, the State of Michigan submitted a modification to its schedule for submitting by December 31, 1982 regulations developed to correct the State's deficiencies in its Part D State Implementation Plan for the attainment of the total suspended particulate air quality standards in its nonattainment areas containing iron and steel sources.

(58) On December 16, 1981, the State of Michigan submitted as a SIP revision consent order APC No. 18-1981 between General Motors Warehousing and Distribution Division and the Michigan Air Pollution Control Commission. On March 16, 1982, Michigan submitted an amendment to consent order APC No. 18-1981. The Consent Order provides a one year extension from October 15, 1982 until October 15, 1983 for the Company's No. 1 and No. 2 boilers and establishes a compliance date of October 15, 1981, for boilers 3 and 4. The Consent Order contains a schedule for compliance which specifies emission limits of 0.45 pounds of particulate per 1,000 pounds of gas as required in Michigan's rule 336.1331(c) Table 31.

(59) [Reserved]

(60) On April 5, 1982, the State of Michigan submitted Consent Order APC No. 02-1980 along with alterations to Section 5(D) of the Consent Order for the Hayes-Albion foundry in Calhoun County. The Consent Order contains control measures beyond the present requirements of Michigan's R336.1301 and R336.1331 for Total Suspended Particulate (TSP) emissions and evaluation methods for determining significant particulate emission sources from the foundry. On June 18, 1982, the State of Michigan also submitted a Fugitive Dust Control Plan and a Malfunction Abatement Plan for the Hayes-Albion foundry. On September 21, 1982, the State of Michigan formally submitted Permits 314-79 and 375-79 for the American Colloid Plant.

(61) On March 6, 1981, the State of Michigan submitted as a SIP revision general rules for fugitive dust control. These rules were approved by the Michigan Air Pollution Control Commission on January 20, 1981, and became effective at the State level on February 17, 1981. On January 25, 1982, May 3, 1982, and August 24, 1982, Michigan submitted additional information and commitments. The submittal of March 6, 1981, along with the additional information and commitments satisfies the State's commitment to submit industrial fugitive dust regulations that represent reasonably available control techniques for industrial fugitive dust sources.

(62) On July 28, 1982, the State of Michigan submitted Consent Order No. 06-1981 for the Clark Oil and Refining Corporation for volatile organic compound (VOC) emissions. This revision is a detailed compliance schedule containing increments of progress with a final compliance date of December 31, 1982 and an emission limitation of 0.7 pound of organic vapor per 1000 gallons of organic compound load.

(63) On September 8, 1982, the State of Michigan submitted as a SIP revision Consent Order No. 03-1982, between the Hydra-Matic Division, General Motors Corporation and the Michigan Air Pollution Control Commission. The Consent Order establishes a compliance schedule containing increments of progress dates and a final date of November 1, 1982 for Boiler No. 5 to comply with Michigan's R336.331.

(64) On September 21, 1982, the State of Michigan submitted as a SIP revision Consent Order No. 13-1982, between the Diamond Crystal Salt and the Michigan Air Pollution Control Commission, the Consent Order establishes a compliance schedule containing increments of progress dates and a final date of December 18, 1982 for Boiler No. 5 to comply with Michigan's R336.331.

(65) [Reserved]

(66) On September 8, 1982, the State of Michigan submitted as a State Implementation Plan (SIP) revision consent order No. 08-1982, between the General Motors, Buick Motor Division and the Michigan Air Pollution Control Commission. The Consent Order establishes a Volatile Organic Compound (VOC) emissions compliance schedule as required under Michigan's Rule 336.1603 and 336.1610, and extends the final compliance date for surface coating operations until December 31, 1987. On November 29, 1982, and March 10, 1983, the State submitted additional information.

(67) On September 8, 1982, the State of Michigan submitted Consent Order No. 09-1982, between the General Motors, Fisher Body Division and the Michigan Air Pollution Control Commission as a State Implementation Plan (SIP) revision. The Consent Order establishes a Volatile Organic Compound (VOC) emission compliance schedule as required under Michigan's Rule 336.1603 and 336.1610, and extends the compliance date for surface coating operations until December 31, 1987. On November 29, 1982, and March 10, 1983, the State submitted additional information.

(68) On September 8, 1982, the State of Michigan submitted as a State Implementation Plan (SIP) revision Consent Order No. 10-1982, between Chevrolet Truck Assembly and the Michigan Air Pollution Control Commission. The Consent Order establishes a Volatile Organic Compound (VOC) emission compliance schedule as required under Michigan's Rule 336.1603 and 336.1610, and extends the compliance date for surface coating operations until December 31, 1987. On November 29, 1982, and March 10, 1983, the State submitted additional information.

(69) On September 8, 1982, the State of Michigan submitted as a State Implementation Plan (SIP) revision Consent Order No. 11-1982, between the General Motors Fisher Body Division, Fleetwood Plant and the Michigan Air Pollution Control Commission. On March 10, 1983, the State submitted additional information for this SIP revision. The Consent Order establishes a Volatile Organic Compound (VOC) emissions compliance schedule as required under Michigan's Rules 336.1603 and 336.1610, and extends the final compliance date for surface coating operations until December 31, 1987.

(70) On September 8, 1982, the State of Michigan submitted as a State Implementation Plan (SIP) revision Consent Order No. 12-1982, between the General Motors, Cadillac Motors Car Division and the Michigan Air Pollution Control Commission. On March 10, 1983, the State submitted additional information for this SIP revision. The Consent Order establishes a Volatile Organic Compound (VOC) emission compliance schedule as required under Michigan's Rule 336.1603 and R336.1610, and extends the compliance date for surface coating operations until December 31, 1987.

(71) On September 1, 1982, the State of Michigan submitted a request to reduce the size of the ozone demonstration area for Southeast Michigan from the seven-county area of Wayne, Oakland, Macomb, Livingston, Monroe, St. Clair and Washtenaw to a three-county area consisting of Wayne, Oakland, and Macomb Counties.

(72) On November 18, 1982, the State of Michigan submitted Consent Order APC No. 06-1980, along with alterations for the General Motors Cor-

poration (GMC) Central Foundry Division, Saginaw Malleable Iron Plant in the City of Saginaw, County of Saginaw as a revision to the Michigan SIP. Consent Order No. 06-1980, as amended, reflects an interim and final particulate emission limit more stringent than Michigan's rule 336.1331; extends the final date of compliance with Michigan's Rule 336.1301 for opacity on the oil quench facilities from December 31, 1982, to December 15, 1983, which is as expeditiously as practicable and before the July 31, 1985, attainment date for the secondary TSP NAAQS in Michigan.

(73) On June 30, 1983, the State of Michigan submitted as a State Implementation Plan (SIP) revision. Consent Order No. 4-1983 between the General Motors Corporation's Oldsmobile Division and the Michigan Air Pollution Control Commission. The Consent Order establishes a Volatile Organic Compound (VOC) emissions compliance schedule as required under Michigan's Rule 336.1603 and 336.1610, and extends the final compliance dates for prime, primer-surfacer, topcoat, and final repair operations until December 31, 1987.

(74) On June 30, 1983, the State of Michigan submitted as a State Implementation Plan (SIP) revision. Consent Order No. 5-1983, between the General Motors Corporation's Assembly Division and the Michigan Air Pollution Control Commission. The Consent Order established a Volatile Organic Compound (VOC) emission compliance schedule as required under Michigan's Rule 336.1603 and R336.1610, and provides interim compliance limits to be achieved by December 31, 1984, and extends the final compliance dates for topcoating and final repair coating operations until December 31, 1987.

(75) On October 4, 1983, the State of Michigan submitted: (1) A revised Consent Order APC No. 12-1979 between CWC Castings Division of Textron and the Michigan Air Pollution Control Commission and (2) Article 14, Section J of the Muskegon County APC Rules. Consent Order APC No. 12-1979 requires reductions of point source emissions and fugitive emissions and extends the installation schedule of specified control devices to December 31, 1984. Article 14, Section J, provides a ban on open residential and leaf burning in Muskegon County. EPA approves the additional control measures contained in Consent Order APC No. 12-1979 and the open burning ban. EPA takes no action on the overall approval of Michigan's Part D secondary nonattainment area for Muskegon County.

(76) On August 24, 1983, the State of Michigan submitted a State Implementation Plan (SIP) revision request for an extension of the compliance date for Boiler No. 2 for the General Motors Corporation Warehousing and Distribution Division, in Swartz Creek County. Consent Order No. 18-1981 extends the compliance date until October 15, 1985 for GMC to install mechanical collectors on Boiler No. 2.

(77) On March 8, 1984, the State of Michigan submitted a report which demonstrated that Rule 336.1606 contains emission limits equivalent to Reasonable Available Control Technology (RACT) for Wayne, Oakland and Macomb Counties. Therefore, USEPA removes its conditional approval of Rule 336.1606 and fully approves the State's rule.

(78) [Reserved]

(79) On December 2, 1983, USEPA proposed to withdraw its approval of Michigan's fugitive dust regulations. On April 25, 1985, the State of Michigan submitted revised Rule 336.1371, existing Rule 336.1372, and new Rule 336.1373. However, they did not meet the requirements of Part D of section 172(b); and USEPA, therefore, withdrew its approval of these submittals, disapproved these submittals, and instituted new source restrictions for major sources in the Michigan primary Total Suspended Particulate (TSP) nonattainment areas on August 20, 1985. USEPA incorporates revised Rule 336.1371 and newly submitted Rule 336.1373 into the Michigan State Implementation Plan because they provide a framework for the development of fugitive dust control programs at the State level in Michigan. USEPA retains Rule 336.1372, which is already incorporated into the Michigan SIP, insofar as it applies to sources in TSP attainment areas. This paragraph su-

percedes paragraph (C)(61) of this section.

(i) Incorporation by reference.

(A) Michigan Department of Natural Resources Rules 336.1371 and 336.1373 (Fugitive Dust Regulations), as adopted on April 23, 1985.

(80) On July 27, 1983, the State of Michigan submitted Consent Order No. 08-1983 for the General Motors Corporation Central Foundry Division's Saginaw Malleable Iron Plant, as a revision to the Michigan State Implementation Plan for Total Suspended Particulates. Consent Order No. 08-1983 amends control strategy provisions of federally approved (November 18, 1982 and August 15, 1983) Consent Order No. 06-1980 and its alteration.

(i) Incorporation by reference.

(A) Stipulation for Entry of Consent Order and Final Order No. 08-1983 for the General Motors Corporation Central Foundry Division's Saginaw Malleable Iron Plant amending Control Strategy Provisions issued June 9, 1983.

(81) On October 1, 1984, the State of Michigan submitted the Stipulation for Entry of Consent Order and Final Order, SIP No. 12-1984, between the Consumer Power Company's J.H. Campbell and the Michigan Air Pollution Control Commission as a revision to the Michigan SO_2 SIP. Consent Order No. 12-1984 provides a 3-year compliance date extension (January 1, 1985, to December 31, 1987) for the J.H. Campbell Units 1 and 2 to emit SO_2 at an allowable rate on a daily basis of 4.88 lbs/MMBTU in 1985, 4.78 lbs/MMBTU in 1986, and 4.68 lbs/MMBTU in 1987.

(i) Incorporation by reference.

(A) October 1, 1984, Stipulation for Entry of Consent Order and Final Order, SIP No. 12-1984, establishing interim daily average SO_2 emission limitations and quarterly average limits on percent sulfur is fuel fired.

(82) The State of Michigan submitted negative declarations for several volatile organic compound source categories, as follows:

October 10, 1983—Large petroleum dry cleaners;
May 17, 1985—High-density polyethylene, polypropylene, and polystyrene resin manufacturers;
June 12, 1985—Synthetic organic chemical manufacturing industry sources (SOCMI) oxidation.

(i) Incorporation by reference.

(A) Letters dated October 10, 1983, May 17, 1985, and June 12, 1985, from Robert P. Miller, Chief, Air Quality Division, Michigan Department of Natural Resources. The letter dated June 12, 1985, includes pages 2-119 and 2-120 from the revised 1982 Air Quality Implementation Plan for Ozone and Carbon Monoxide in Southeast Michigan.

(83) On September 16, 1985, the State of Michigan submitted a SIP revision requesting alternate opacity limits for the Packaging Corporation of America (PCA) bark boiler. The request is in the form of a Stipulation for Entry of Consent Order and Final Order (No. 23-1984). The Consent Order contains an extended schedule for the PCA's bark boiler to comply with Michigan's Rule 336.1301.

(i) Incorporation by reference. (A) Stipulation for Entry of Consent Order and Final Order No. 23-1984 for the Packaging Corporation of America, approved on July 8, 1985.

(84) On April 29, 1986, the State of Michigan submitted a revision to the Michigan State Implementation Plan (SIP) for total suspended particulates (TSP). The revision, in the form of Air Pollution Control Act (APCA) No. 65, revises the State's 1965 APCA No. 348 contained in the TSP portion of the Michigan SIP with respect to: car ferries having the capacity to carry more than 110 motor vehicles; and coal-fired trains used in connection with tourism.

(i) Incorporation by reference. (A) Act No. 65 of the Public Acts of 1986, as approved by the Governor of Michigan on March 30, 1986.

[37 FR 10873, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1170, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1171 Classification of regions.

The Michigan plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Detroit-Port Huron Intrastate	I	I	III	III	III
Metropolitan Toledo Interstate	I	I	III	III	I
South Central Michigan Intrastate	II	II	III	III	III
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	III
Central Michigan Intrastate	II	III	III	III	III
Upper Michigan Intrastate	III	III	III	III	III

[37 FR 10873, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 29801, May 6, 1980]

§ 52.1172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Michigan's plan for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 29801, May 6, 1980]

§ 52.1173 Control strategy: Particulates.

(a) *Part D—Disapproval.* The following specific revisions to the Michigan Plan are disapproved:

(1) Rule 336.1331, Table 31, Item C: Emission limits for Open Hearth Furnaces, Basic Oxygen Furnaces, Electric Arc Furnaces, Sintering Plants, Blast Furnaces, Heating and Reheating Furnaces.

(2) Rules 336.1371 (Fugitive dust control programs other than areas listed in table 36.), 336.1372 (Fugitive dust control programs; required activities; typical control methods.) and 336.1373 (Fugitive dust control programs; areas listed in table 36.) for control of industrial fugitive particulate emissions sources.

(b) Part D—Conditional Approval—The Michigan overall Plan for primary and secondary nonattainment areas is approved provided that the following conditions are satisfied:

(1) The State officially adopts final industrial fugitive regulations that represent RACT for traditional sources and submits these finally effective regulations to USEPA by January 31, 1981.

(2) The State adopts and submits regulations reflecting RACT for Basic Oxygen Furnaces, Electric Arc Furnaces, Sintering Plants, Blast Furnaces and Heating and Reheating Furnaces.

(3) Rule 336.1331, Table 31, Item C: Coke Oven Preheater Equipment Effective After July 1, 1979—The State clarifies the compliance test method to include measurement of the whole train.

(4) Rule 336.1349—The State submits consent orders containing enforceable increments insuring reasonable further progress for each source subject to Rules 336.1350 through 336.1357.

(5) Rule 336.1350—The State adopts and submits an acceptable inspection method for determining compliance with the rule.

(6) Rule 336.1352—The State adopts and submits the following clarifications to the rule: (a) The rule regulates emissions from the receiving car itself during the pushing operation; (b) in the phrase "eight consecutive trips," "consecutive" is defined as "consecutively observed trips"; (c) the word "trips" is defined as "trips per battery" or "trips per system"; (d) the 40% opacity fugitive emissions limita-

tion refers to an instantaneous reading and not an average; (e) the method of reading opacity is defined.

(7) Rule 336.1353—The State adopts and submits: (a) An acceptable test methodology for determining compliance with the rule; and (b) a clarification that the exception to the visible emission prohibition of 4% of standpipe emission points refers to "operating" ovens.

(8) Rule 336.1356—The State adopts and submits a clarification of the test methodology to determine compliance with the rule.

(9) Rule 336.1357—The State adopts and submits a clarification of the test methodology to determine compliance with the rule.

(10) The State adopts and submits a regulation reflecting RACT for coke battery combustion stacks.

(11) The State adopts and submits an acceptable test method for application of Rule 336.1331, Table 32 to quench towers, or, in the alternative, adopts and submits a limitation reflecting RACT for quench tower emissions based on the quantity of total dissolved solids in the quench water.

(12) The State adopts and submits rules requiring RACT for scarfing emissions.

(13) Part 10 Testing—The State adopts and submits the following clarifications to the test methods: (a) Testing of fugitive emissions from blast furnaces are conducted during the cast; (b) the starting and ending period is specified for basic oxygen furnaces (for both primary and secondary emissions generating operations), electric arc furnaces and for each of the three emission points at sinter plants.

(14) The State conducts additional particulate studies in the Detroit area by September, 1980.

(c) *Disapprovals.* EPA disapproves the following specifii revisions to the Michigan Plan:

(1) The State submitted Consent Order No. 16-1982 on June 24, 1982, Great Lakes Steel, a Division of the National Steel Corporation as a revision to the Michigan State Implementation Plan. EPA disapproves this revision, because it does not satisfy all the requirements of EPA's proposed Emission Trading Policy Statement of April 7, 1982 (47 FR 15076).

[46 FR 27931, May 22, 1981, as amended at 49 FR 11834, Mar. 28, 1984; 50 FR 33540, Aug. 20, 1985]

§ 52.1174 Control strategy: Ozone.

(a) Part D—Conditional Approval—Michigan Rules 336.1603 and 336.1606 are approved provided that the following conditions are satisfied:

(1) *Rule 336.1606*—The State either promulgates a rule with a 120,000 gallon per year throughput exemption for gasoline dispensing facilities for sources located in Wayne, Macomb and Oakland Counties. The State must either submit the rule to USEPA or demonstrate that the allowable emissions resulting from the application of its existing rule with 250,000 gallon per year throughput exemption for gasoline dispensing facilities are less than five percent greater than the allowable emissions resulting from the application of the CTG presumptive norm. The State must comply with this condition by May 6, 1981, and any necessary regulations must be finally promulgated by the State and submitted to USEPA by September 30, 1981.

[45 FR 58528, Sept. 4, 1980, as amended at 50 FR 5250, Feb. 7, 1985]

§ 52.1175 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter as of May 31, 1972, (36 FR 22398) are not met since Rule 336.49 of the Michigan Air Pollution Control Commission provides for individual compliance schedules to be submitted to the State Agency by January 1, 1974. This would not be in time for submittal to the Environmental Protection Agency with the first semiannual report.

(b) [Reserved]

(c) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(d) *Federal compliance schedules.* (1) Except as provided in paragraph (d)(3) of this section, the owner or operator of any stationary source subject to the following emission-limiting regulations in the Michigan implementation plan shall comply with the applicable compliance schedule in paragraph (d)(2) of this section: Air Pollution Control Commission, Department of Public Health, Michigan Rule 336.49.

(2) *Compliance schedules.* (i) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to Rule 336.49 and located in the Central Michigan Intrastate AQCR, South Bend-Elkhart-Benton Harbor Interstate AQCR, or Upper Michigan Intrastate AQCR (as defined in Part 81 of this title) shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to comply with the limitations effective July 1, 1975, in Table 3 or Table 4 of Rule 336.49.

(ii) Any owner or operator of a stationary source subject to paragraph (d)(2)(i) of this section who elects to utilize low-sulfur fuel shall take the following actions with respect to the source no later than the dates specified.

(*a*) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Table 3 of Rule 336.49 on July 1, 1975, and for at least one year thereafter.

(*b*) December 31, 1973—Sign contracts with fuel suppliers for projected fuel requirements.

(*c*) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(*d*) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(*e*) June 15, 1974—Initiate onsite modifications, if applicable.

(*f*) March 31, 1975—Complete onsite modifications, if applicable.

(*g*) July 1, 1975—Achieve final compliance with the applicable July 1, 1975, sulfur-in-fuel limitation listed in Table 3 of Rule 336.49.

(iii) Any owner or operator of a stationary source subject to paragraph (d)(2)(i) of this section who elects to utilize stack gas desulfurization shall take the following actions with respect to the source no later than the dates specified.

(*a*) November 1, 1973—Let necessary contracts for construction.

(*b*) March 1, 1974—Initiate onsite construction.

(*c*) March 31, 1975—Complete onsite construction.

(*d*) July 1, 1975—Achieve final compliance with the applicable July 1, 1975, emission limitation listed in Table 4 of Rule 336.49.

(*e*) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(iv) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to Rule 336.49 and located in the Central Michigan Intrastate AQCR, South Bend-Elkhart-Benton Harbor Interstate AQCR, or Upper Michigan Intrastate AQCR shall notify the Administrator, no later than January 31, 1974, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to comply with the limitation effective July 1, 1978, in Table 3 or Table 4 of Rule 336.49.

(v) Any owner or operator of a stationary source subject to paragraph (d)(2)(iv) of this section who elects to utilize low-sulfur fuel shall take the following actions with respect to the source no later than the dates specified.

(*a*) October 15, 1976—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Table 3 of Rule 336.49 on July 1, 1978, and for at least one year thereafter.

(*b*) December 31, 1976—Sign contracts with fuel suppliers for projected fuel requirements.

(*c*) January 31, 1977—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(*d*) March 15, 1977—Let contracts for necessary boiler modifications, if applicable.

(*e*) June 15, 1977—Initiate onsite modifications, if applicable.

(*f*) March 31, 1978—Complete onsite modifications, if applicable.

(*g*) July 1, 1978—Achieve final compliance with the applicable July 1, 1978, sulfur-in-fuel limitation listed in Table 3 of Rule 336.49.

(vi) Any owner or operator of a stationary source subject to paragraph (d)(2)(iv) of this section who elects to utilize stack gas desulfurization shall take the following actions with regard to the source no later than the dates specified.

(*a*) November 1, 1976—Let necessary contracts for construction.

(*b*) March 1, 1977—Initiate onsite construction.

(*c*) March 31, 1978—Complete onsite construction.

(*d*) July 1, 1978—Achieve final compliance with the applicable July 1, 1978, mission limitation listed in Table 4 of Rule 336.49.

(*e*) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1978. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vii) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(3)(i) Paragraphs (d) (1) and (2) of this section shall not apply to a source which is presently in compliance with Table 3 or Table 4 of Rule 336.49 and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (d)(2) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(e) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State unless otherwise noted.

MICHIGAN

[See footnotes at end of table]

Source	Location	Regulations involved	Date schedule adopted	Final compliance d
ALLEGAN COUNTY				
Plainwell Paper Co	Plainwell	336.44, 46	Mar. 14, 1973	June 30, 1975
Menasha Corp	Otsego	336.49	do	Dec. 31, 1977
ALPENA COUNTY				
National Gypsum Co. (Huron Cement Division Plant)	Alpena	336.44	Sept. 25, 1973	Apr. 1, 1973

MICHIGAN—Continued

[See footnotes at end of table]

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
BARAGA COUNTY				
Upper Peninsula Power Co	L'Anse	336.44, 46	July 25, 1973	Aug. 1, 1975.[8]
Consumers Power Company (Karn Plant Units 1 and 2).	Essexville	336.49	Sept. 18, 1973	Jan. 1, 1980.
Consumers Power Company (Weadock Plant Units 7 and 8).	do	336.49	do	Do.
BERRIEN COUNTY				
Conoco, Inc.	Berrien	R336.1603, R336.1609.	Sept. 28, 1981	Dec. 31, 1982.
CALHOUN COUNTY				
Clark Oil and Refining Corp	Calhoun	R336.1603 R336.1609.	May 14, 1982	Dec. 31, 1982.
CHARLEVOIX COUNTY				
East Jordon Iron Works, Inc	East Jordon	336.44	Sept. 25, 1973	Oct. 1, 1974.
Medusa Cement Co	Charlevoix	336.44, 46	Aug. 14, 1973	Feb. 28, 1974.
Northern Michigan Electric Cooperative Advance Steam Plant.	Boyne City	336.1401 (336.49).	Jan. 10, 1980	Jan. 1, 1985.
EATON COUNTY				
Lansing Board of Water and Light (Erickson Station).	Lansing	336.49	Mar. 14, 1973	July 1, 1975.[8] July 1, 1977.[8]
EMMET COUNTY				
Penn-Dixie Cement Corp	Resort Township.	336.44	Jan. 18, 1974	May 1, 1974
GENESEE COUNTY				
GMC Flint Assembly Plant (Chevrolet Div.)	Flint	336.49	Mar. 21, 1973	July 1, 1978.[8]
GMC Fisher Body Div.:				
(a) Cold Water Rd	do	do	Mar. 28, 1973	Do.
(b) No. 1 GMC	do	do	do	Do.
Buick Motor Division	City of Flint	R336.1301	May 5, 1980	Dec. 31, 1982.
GM Warehousing Dist. Div. Boilers 1 and 2	Genesee	R336.1331	Dec. 31, 1981	Oct. 15, 1983.
GM Warehousing Dist. Div. Boilers 3 and 4	do	R336.1331	Dec. 1, 1981	Oct. 15, 1981.
HURON COUNTY				
Hercules, Inc	Harbor Beach	336.49	Mar. 16, 1973	July 1, 1975.[1] July 1, 1978.[8]
Detroit Edison (Harbor Beach Plant)	do	336.49	Nov. 9, 1973	Jan. 1, 1980.
INGHAM COUNTY				
Morton Wheel Corp. (Centrifuse Div.):				
(a) Electric Arc Fur 1 & 2	Lansing	336.44, 46	Sept. 25, 1973	Aug. 1, 1975.
(b) Electric Arc Fur	do	do	do	Dec. 1, 1975.
Lansing Board of Water and Light (Eckert Station):				
All units	do	336.49	Mar. 14, 1973	July 1, 1975.[8] July 1, 1977.[8]
(a) Units 1-3	do	336.44, 49	do	Do.
(b) Units 4-6	do	336.44, 46	do	Oct. 1, 1975.
(c) Unit 6	do	do	do	Dec. 1, 1974.
Lansing Board of Water and Light (Moores Park Station): Units 11-14.	do	336.49	do	July 1, 1975.[8] July 1, 1977.[8]
Lansing Board of Water and Light (Ottawa Station): Units 1-5.	do	do	do	July 1, 1975.[8] July 1, 1977.[8]

MICHIGAN—Continued

[See footnotes at end of table]

Source	Location	Regulations involved	Date schedule adopted	Final compliance da
IONIA COUNTY				
Extruded Metals	Belding	336.44, 46	Mar. 30, 1973	May 31, 1974.
MACOMB COUNTY				
Ford Motor Co.	Sterling Hts	336.49	Mar. 14, 1973	July 1, 1975.[1] July 1, 1978.[2]
New Haven Foundry	Macomb County	R336.1301, R336.1331, R336.1901.	Aug. 14, 1980	June 30, 1985.
MARQUETTE COUNTY				
The Cleveland Cliffs Iron Co. (Pelletizing Unit)	Humbolt	336.44, 46	Mar. 14, 1973	Dec. 1, 1978.[2]
The Cleveland Cliffs Iron Co. (Pelletizing Units Nos. 1, 2).	Republic	336.44, 46	do	Feb. 1, 1975.
MIDLAND COUNTY				
Dow Chemical	Midland	336.44, 46	Dec. 3, 1973	Apr. 1, 1975.
Dow Building 830	do	R336.1331	June 15, 1982	Oct. 1, 1982.
Dow Chemical	do	R336.1301 and R336.1331.	July 21, 1982	Dec. 31, 1985.
MONROE COUNTY				
Consolidated Packing Corp. Boiler 8	Monroe	336.44, 46	Mar. 23, 1973	Jan. 5, 1974.
Detroit Edison (Monroe Plant) Units 1–4	do	336.49	Sept. 13, 1973	Jan. 1, 1980.
Detroit Edison (Monroe plant)	do	336.49	July 7, 1977	Jan. 1, 1985.
Dundee Cement Company	Dundee	336.41, 44 (336.1301, 336.1331).	Oct. 17, 1979	Dec. 31, 1983.
Do	do	336.1301 and 336.1331.	Nov. 19, 1980	Dec. 31, 1981.
Union Camp	Monroe	336.1401 (336.49)	Jan. 3, 1980	Jan. 1, 1985.
MUSKEGON COUNTY				
Consumers Power Company (B. C. Cobb)	Muskegon	336.1401 (336.49)	Dec. 10, 1979	Jan. 1, 1985.
Tech-Cast, Inc	Montague	336.44	Mar. 14, 1973	Dec. 31, 1974.
S. D. Warren Co	Muskegon	336.49 (336.1401).	Oct. 31, 1979	Nov. 1, 1984.
Marathon Oil	do	336.1603	July 31, 1981	Dec. 31, 1982.
OAKLAND COUNTY				
Fisher Body Division (GMC) (Pontiac)	Pontiac	336.49	May 21, 1973	July 1, 1975.[1] July 1, 1978.[2]
Truck & Coach Division (GMC) (No. 3 GMC)	do	336.49	do	July 1, 1975.[1] July 1, 1978.[2]
OTSEGO COUNTY				
U.S. Plywood, Division of Champion Papers	Gaylord	336.44, 46	June 16, 1973	Dec. 13, 1974
OTTAWA COUNTY				
Consumer Power (Campbell Plant)	West Olive	336.49	Sept. 18, 1973	Jan. 1, 1980.
Holland Board of Public Works	Holland	336.44, 46	Mar. 30, 1973	June 1, 1975.
SAGINAW COUNTY				
GMC Saginaw Steering Gear Saginaw: Plant 2 (Power Boiler 1, 2) Plant 3, Boilers 1–5.	Saginaw	336.49	Mar. 30, 1973	July 1, 1978.[2]

MICHIGAN—Continued

[See footnotes at end of table]

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
Grey Iron Casting and Nodular Iron Casting Plants	......do	R336.1301	Apr. 16, 1980	Dec. 31, 1982.
ST. CLAIR COUNTY				
The Detroit Edison Co	Marysville	336.49	Mar. 14, 1973	July 1, 1975.[1] July 1, 1978.[2]
Detroit Edison	Port Huron	336.49	Mar. 14, 1973	July 1, 1975.[1] July 1, 1978.[2]
Detroit Edison Unit 6	East China Township.	336.41	Oct. 11, 1978	Dec. 31, 1981.
WAYNE COUNTY				
Boulevard Heating Plant	Wayne	R336.1331	Apr. 28, 1981	Dec. 31, 1982.

Footnotes:

[1] For the attainment of the primary standard.

[2] For the attainment of the secondary standard.

[3] For the maintenance of the secondary standard.

(f) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MICHIGAN

Source	Location	Regulation involved	Date schedule adopted
BAY COUNTY			
Consumer Power (Karn Plant)	Essexville	336.44	Sept. 18, 1973.
OTTAWA COUNTY			
Consumer Power Co. (Campbell Plant Units 1, 2)	West Olive	336.44	Sept. 18, 1973.

[37 FR 10873, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1175, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1176 Review of new sources and modifications. [Reserved]

[37 FR 10373, May 31, 1972]

§ 52.1177 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect information presented in Michigan's plan, except where noted.

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_2		NO_x	CO	O_3
	Primary	Secondary	Primary	Secondary			
South Bend-Elkhart-Benton Harbor Interstate (AQCR 82):							
a. Primary/Secondary Nonattainment Areas	a	f	a	a	c	c	d
b. Remainder of AQCR	c	c	c	c	c	c	d
Central Michigan Intrastate (AQCR 122):							
a. Primary/Secondary	d	f	d	a	c	d	d
b. Remainder of AQCR	c	c	c	c	c	c	b
Metropolitan Detroit-Port Huron Intrastate (AQCR 123):							
a. Primary/Secondary	d	f	a	c	c	e	e
b. Remainder of AQCR	c	c	c	c	c	c	b
Metropolitan Toledo Interstate (AQCR 124):							
a. Primary/Secondary	a	f	a	c	c	c	e
b. Remainder of AQCR	c	c	c	c	c	c	b
South Central Michigan Intrastate (AQCR 125):							
a. Primary/Secondary	d	f	d	a	c	c	e
b. Remainder of AQCR	c	c	c	c	c	c	b
Upper Michigan Intrastate (AQCR 126):							
a. Primary/Secondary	c	f	c	c	c	c	d
b. Remainder of AQCR	c	c	c	c	c	c	b

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable. These dates may be changed through revisions to the SIP by the State.

NOTE 2: Sources subject to the plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.727.

NOTE 3: For actual nonattainment designations, refer to 40 CFR Part 81.

a. July 1975.
b. Air quality levels presently below primary standards or area is unclassified.
c. Air quality levels presently below secondary standards or area is unclassified.
d. December 31, 1982.
e. December 31, 1987.
f. July 31, 1985.

[45 FR 37196, June 2, 1980]

§ 52.1178 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Detroit Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Macomb County, Oakland County, and Wayne County.

(2) Toledo Interstate Air Quality Maintenance Area (Michigan Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Monroe County.

[40 FR 23754, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1179 [Reserved]

§ 52.1180 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Michigan.

(c) All applications and other information required pursuant to § 52.21 from sources located in the State of Michigan shall be submitted to the Michigan Department of Natural Resources, Air Quality Division, P.O. Box 30028, Lansing, Michigan 48909.

[45 FR 8299, Feb. 7, 1980; 45 FR 52741, Aug. 7, 1980]

§ 52.1181 Interstate pollution.

(a) The requirements of Section 126(a)(1) of the Clean Air Act as amended in 1977 are not met since the state has not submitted to EPA, as a part of its State Implementation Plan, the procedures on which the state is relying to notify nearby states of any proposed major stationary source which may contribute significantly to levels of air pollution in excess of the National Ambient Air Quality Standards in that state.

[46 FR 30084, June 5, 1981]

§ 52.1182 State boards.

(a) The requirements of Section 128 of the Clean Air Act as amended in 1977 are not met since the state has not submitted to EPA, as a part of its State Implementation Plan, the measures on which the state is relying to insure that the Air Pollution Control Commission contains a majority of members who represent the public interest and do not derive a significant portion of their income from persons subject to permits or enforcement orders under the Act and that the board members adequately disclose any potential conflicts of interest.

[46 FR 30084, June 5, 1981]

§ 52.1183 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of Michigan.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Michigan.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart Y—Minnesota

§ 52.1220 Identification of plan.

(a) Title of plan: "Implementation Plan to Achieve National Ambient Air Quality Standards."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) A revised copy of the State emergency episode criteria was forwarded on February 7, 1972. (Non-regulatory)

(2) Information concerning intergovernmental cooperation was submitted by the Minnesota Pollution Control Agency on March 27, 1972.

(3) Certification that the State had adopted amendments to APC-1, 3, 4, 11, and 15, adopted a new air pollution control regulation (APC-16) and projected manpower resources was submitted by the State on April 28, 1972.

(4) An opinion on the availability of emission data to the public and evaluation of regulation concerning new construction was submitted by the State Attorney General's office on June 15, 1972. (Non-regulatory)

(5) A revised version of the State's regulation APC-3 was submitted by the Governor on July 25, 1972.

(6) On June 8, 1973, the Governor of Minnesota submitted a transportation control plan for the Minneapolis-St. Paul Intrastate Air Quality Control Region.

(7) Information concerning the transportation control plan was submitted on June 18, 1973, by the Minnesota Pollution Control Agency.

(8) Compliance schedules were submitted on June 28, 1973, by the Minnesota Pollution Control Agency.

(9) Information concerning the transportation control plan was sub-

mitted on July 30, 1973, by the Metropolitan Transit Commission.

(10) Information concerning the transportation control plan was submitted on August 1, 1973, by the Minnesota Department of Highways.

(11) Compliance schedules were submitted on August 9, 1973, by the Minnesota Pollution Control Agency.

(12) On November 15, 1974, the Governor of Minnesota submitted recommended Air Quality Maintenance Area identifications.

(13) A request for an extension of the statutory timetable for the submittal of the portion of the Minnesota State Implementation Plan implementing the National Secondary Ambient Air Quality Standards for total suspended particulates was submitted by the Executive Director of the Minnesota Pollution Control Agency on January 8, 1979 and was supplemented with additional information on March 9, 1979.

(14) A transportation control plan for the St. Cloud Metropolitan Area was submitted on May 17, 1979 by the Minnesota Pollution Control Agency.

(15) Transportation control plans for the Metropolitan Areas of Duluth, Rochester and Minneapolis-St. Paul were submitted on July 3, 1979 and July 23, 1979 by the Minnesota Pollution Control Agency.

(16) On March 5, 1980, the State of Minnesota submitted a revision to provide for modification of the existing air quality surveillance network. An amendment to the revision was submitted by the State of Minnesota on June 2, 1980.

EDITORIAL NOTE: At 46 FR 20997, Apr. 8, 1981, the following paragraph (c)(16) was added to § 52.1220. This paragraph will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(16) The sulfur dioxide control plan and revised operating permits for the Rochester and Twin Cities nonattainment areas were submitted by the State of Minnesota on July 17, 1980 and August 4, 1980. Amendments to the control plans were submitted on September 4, 1980. EPA's approval of the control plan includes approval of the emission limitations contained in the revised operating permits.

(17) [Reserved]

(18) Stipulation Agreement between the State Pollution Control Agency and Erie Mining Company submitted by the State on February 20, 1981.

(19) On July 29, 1981, the Minnesota Pollution Control Agency submitted an amendment to the transportation control plan for the Minneapolis-St. Paul Metropolitan Area.

(20) On August 4, 1980, and October 17, 1980, the State submitted its total suspended particulate Part D control plans for the Twin Cities Seven County Metropolitan Area and the City of Duluth. As part of the control strategies the State on January 5, 1981 submitted rule APC-33 and on January 23, 1981 further submitted amended and new rules. The amended and new rules that control total suspended particulate (TSP) emissions are: Amended APC-2, APC-4, APC-5, APC-7, APC-11; and new APC-18, APC-21, APC-22, APC-23, APC-24, APC-25, APC-26, APC-28, APC-29, and APC-32. Regulations APC-4, APC-24, and APC-32 are only approved as they apply to TSP emissions.

(21) On January 23, 1981, the State submitted new rules and amendments to some of their previously approved rules. On November 17, 1981, the State submitted amendments to APC-33. On May 6, 1982 (47 FR 19520), EPA approved some of the rules insofar as they applied to the total suspended particulate strategy for the Twin Cities Seven County Metropolitan Area and the City of Duluth. The remainder of the rules are:

(i) Those portions of APC-4, APC-24, and APC-32 which control emissions of sulfur dioxide, nitrogen dioxide, and carbon monoxide; (ii) the amendments to APC-33; and (iii) APC-8, APC-12, APC-13, APC-15, APC-16, APC-19 and APC-39.

(22) On April 28, 1983, Minnesota submitted its Lead SIP. Additional information was submitted on February 15, 1984, and February 21, 1984.

(23) On May 20, 1985, and on April 17, 1986, the State submitted a carbon monoxide plan for the intersection of Snelling and University Avenues in the City of St. Paul. The plan committed to improved signal progression through the intersection by December

31, 1987, and a parking ban on University Avenue within 1 block in either direction of the intersection with Snelling Avenue by December 31, 1989.

(i) Incorporation by reference.

(A) Amendment to Air Quality Control Plan for Transportation for the Metropolitan Council of the Twin Cities Area dated January 28, 1985.

(B) Letter from Minnesota Pollution Control Agency, dated April 17, 1986, and letter from the City of St. Paul, dated April 1, 1986, committing to implementing of transportation control measures.

(24) On January 7, 1985, the State of Minnesota submitted a consolidated permit rule (CPR) to satisfy the requirements of 40 CFR 51.160 through 51.164 for a general new source review (NSR) program, including lead. On October 25, 1985, the State submitted a Memorandum of Agreement (MOA) which remedied certain deficiencies (40 CFR 52.1225(d)). On October 1, 1986, and January 14, 1987, the State committed to implement its NSR program using USEPA's July 3, 1985 (50 FR 27892), regulations for implementing the stack height requirements of Section 123 of the Clean Air Act (40 CFR 52.1225(e)). USEPA is approving the above for general NSR purposes for all sources, except it is disapproving them for those few sources subject to an NSPS requirement (40 CFR Part 60) and exempted from review under 6 MCAR section 4.4303 B.3. For these sources, NSR Rule APC 3 (40 CFR 52.1220(c)(5)), will continue to apply. Additionally, USEPA is taking no action on the CPR in relationship to the requirements of Section 111, Part C, and Part D of the Clean Air Act.

(i) Incorporation by reference.

(A) Within Title 6 Environment, Minnesota Code of Administrative Rules, Part 4 Pollution Control Agency (6 MCAR 4), Rule 6 MCAR 4 section 4.0002, Parts A, B, C, and E—Definitions, Abbreviations, Applicability of Standards, and Circumvention (formerly APC 2) Proposed and Published in Volume 8 of the State of Minnesota STATE REGISTER (8 S.R.) on October 17, 1983, at 8 S.R. 682 and adopted as modified on April 16, 1984, at 8 S.R. 2275.

(B) Rules 6 MCAR section 4.4001 through section 4.4021—Permits (formerly APC 3)—Proposed and Published on December 19, 1983, at 8 S.R. 1419 (text of rule starting at 8 S.R. 1420) and adopted as modified on April 16, 1984, at 8 S.R. 2273.

(C) Rules 6 MCAR section 4.4301 through section 4.4305—Air Emission Facility Permits—Proposed and Published on December 19, 1983, at 8 S.R. 1419 (text of rule starting at 8 S.R. 1470) and adopted as proposed on April 16, 1984, at 8 S.R. 2276.

(D) Rules 6 MCAR section 4.4311 through section 4.4321—Indirect Source Permits (formerly APC 19)—Proposed and Published on December 19, 1983, at 8 S.R. 1419 (text of rule starting at 8 S.R. 1472) and adopted as modified on April 16, 1984, at 8 S.R. 2277.

[37 FR 10874, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1220, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1221 Classification of regions.

The Minnesota plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Central Minnesota Intrastate	II	III	III	III	III
Southeast Minnesota-La Crosse (Wisconsin) Interstate	II	Ia	III	III	III
Duluth (Minnesota)-Superior (Wisconsin) Interstate	I	II	III	III	III
Metropolitan Fargo-Moorhead Interstate	II	III	III	III	III
Minneapolis-St. Paul Intrastate	I	I	III	I	III
Northwest Minnesota Intrastate	II	III	III	III	III
Southwest Minnesota Intrastate	III	III	III	III	III

[37 FR 10874, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

§ 52.1222 [Reserved]

§ 52.1223 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Minnesota's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below.

[45 FR 40581, June 16, 1980]

§ 52.1224 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to July 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

(5) Authority of the Regional Administrator to make available information and data was delegated to the Minnesota Pollution Control Agency effective October 6, 1977.

[37 FR 10874, May 31, 1972, as amended at 40 FR 55330, Nov. 28, 1975; 43 FR 10, Jan. 3, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.1225 Review of new sources and modifications.

(a)-(b) [Reserved]

(c) Minnesota's Consolidated Permit Rules (CPR) (40 CFR 52.1220(c)(24)), are disapproved for those sources to which an NSPS requirement applies (40 CFR Part 60) and which are also exempted from review under 6 MCAR section 4.4303 B.3. These are being disapproved because they do not meet the requirements of sections 110(a)(2)(D) and 110(a)(4) of the Clean Air Act (Act). For these sources, NSR Rule APC 3 (40 CFR 52.1220(c)(5)), will continue to apply.

(d) The USEPA and the State of Minnesota signed a Memorandum of Agreement (MOA) on July 6, 1985, and July 24, 1985, respectively, for implementing Minnesota's CPR (40 CFR 52.1220(c)(24)). The MOA provides that Minnesota will meet the public notice and comment requirements of 40 CFR 51.161 in cases with the following types of permits:

(1) A permit for a "major stationary source" and for a "major modification" as defined and applied by 40 CFR 51.165(a)(1) (iv), (v), (vi), and (x).

(2) A permit for an emission facility with an actual Pb emission rate of 0.6 tons or more per year; or

(3) A permit for a facility, building, structure or installation in accordance with 40 CFR 51.160(a) which must be reviewed to assure that the source will not potentially violate a control strategy or interfere with attainment or maintenance of a national ambient air quality standard.

(e) The State of Minnesota has committed to conform to the Stack Height Regulations, as set forth in 40 CFR Part 51. In a January 14, 1987, letter to David Kee, USEPA; Thomas J. Kalitowski, Executive Director, Minnesota Pollution Control Agency, stated:

> Minnesota does not currently have a stack height rule, nor do we intend to adopt such a rule. Instead, we will conform with the Stack Height Regulations as set forth in the July 8, 1985, FEDERAL REGISTER in issuing permits for new or modified sources. In cases where that rule is not clear, we will contact USEPA Region V and conform to the current federal interpretation of the item in question.

[53 FR 17037, May 13, 1988]

§ 52.1226 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Minnesota's plan except where noted.

Air quality control region and nonattainment area	TSP		SO_x		NO_x	CO	O_x
	Primary	Secondary	Primary	Secondary			
Central Minnesota Interstate (AQCR-127):							
a. Primary/secondary nonattainment areas.	j	h	h	h	h	f	j.
b. Remainder of AQCR	c	a	d	d	d	d	d.
Southeast Minnesota—LaCrosse (Wisconsin) Interstate (AQCR-128):							
a. Primary/secondary nonattainment areas.	h	i	f	h	h	f	j.
b. Remainder of AQCR	c	a	a	a	d	d	d.
Duluth (Minnesota)—Superior (Wisconsin) Interstate (AQCR-129):							
a. Primary/secondary nonattainment areas.	f	k	h	h	h	f	j.
b. Remainder of AQCR	a	a	c	a	d	d	d.
Metropolitan Fargo (North Dakota)—Moorhead (Minnesota) Interstate (AQCR-130):							
a. Primary/secondary nonattainment areas.	h	h	h	h	h	h	h.
b. Remainder of AQCR	c	a	d	d	d	d	d.
Minneapolis-St. Paul Interstate (AQCR-131).	f	h	f	h	h	f	j.
Northwest Minnesota Interstate (AQCR-132):							
a. Primary/secondary nonattainment areas.	h	i	h	h	h	h	h.
b. Remainder of AQCR	c	a	d	d	d	d	d.
Southwest Minnesota Interstate (AQCR-133).	d	d	d	d	d	d	d.

a. July 1975.
b. Five years from plan approval or promulgation.
c. Air quality levels presently below primary standards or area is unclassifiable.
d. Air quality levels presently below secondary standards or area is unclassifiable.
e. Transportation and/or land use control strategy to be submitted no later than April 15, 1978.
f. December 31, 1982.
g. December 31, 1987.
h. Not applicable.
i. Eighteen-month extension granted.

j. Attainment dates to be specified in the future.

k. For the secondary nonattainment area of Duluth, Minnesota, located in AQCR-129, attainment of the secondary standard is to be achieved by December 31, 1985. For all other secondary nonattainment areas within this AQCR the attainment date will be specified in the future.

NOTE 1: For actual nonattainment designations refer to 40 CFR Part 81.

NOTE 2: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

NOTE 3: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1226.

[47 FR 19522, May 6, 1982]

§ 52.1227 Transportation and land use controls.

(a) To complete the requirements of Subpart L and Subpart G of this chapter, the Governor of Minnesota must submit to the Administrator:

(1) No later than December 30, 1973, the signed memoranda of intent outlined in section IV(F) of the State transportation control plan.

[38 FR 30833, Nov. 7, 1973, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1228 [Reserved]

§ 52.1229 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Duluth Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

City of Duluth.

(2) Minneapolis-St. Paul Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Anoka County, Carver County, Dakota County, Hennepin County, Ramsey County, Scott County, Washington County.

[40 FR 23754, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1230 Control strategy and rules: Particulates.

(a) Part D—Conditional Approval.

(1) The attainment demonstration for the Twin Cities Seven County Metropolitan Area and the City of Duluth is approved provided that the following condition for Rule APC-29 is satisfied by December 31, 1982.

(2) The State must submit either an amended APC-29 which contains specific opacity limits that are representative of RACT levels of control; or operating permits and/or stipulation agreements which contain opacity limitations equivalent to reasonable available control technology levels.

(b) *Part D—No Action.* EPA takes no action on the alternative test method provision of Section G contained in rule APC-33.

[47 FR 19522, May 6, 1982, as amended at 4 FR 32118, July 26, 1982]

§§ 52.1231—52.1233 [Reserved]

§ 52.1234 Significant deterioration of a quality.

(a) The requirements of sections 16 through 135 of the Clean Air Act ar not met, since the plan does not i clude approvable procedures for pr venting the significant deteriorati of air quality.

(b) Regulations for preventing si nificant deterioration of air qualit The provisions of § 52.21(b) throu (w) are hereby incorporated and ma a part of the applicable state plan the State of Minnesota.

(c) All applications and other inf mation required pursuant to § 52 rom sources located in the State of Minnesota shall be submitted to the Minnesota Pollution Control Agency, Division of Air Quality, 520 Lafayette Road, St. Paul, Minnesota 55155.

5 FR 52741, Aug. 7, 1980, as amended at 53 FR 18985, May 26, 1988]

52.1235 Extensions.

The Administrator hereby extends or eighteen months the statutory imetable for submission of Minnesota's plan for attainment and maintenance of the National Secondary Ambient Air Quality Standards for total suspended particulates in Cloquet, East Grand Forks, the Iron Range, Red Wing, and Silver Bay. The plan is due by July 1, 1980.

44 FR 50601, Aug. 29, 1979]

§ 52.1236 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitorng and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of Minnesota.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Minnesota.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart Z—Mississippi

§ 52.1270 Identification of plan.

(a) Title of plan: "Air Implementation Plan for the State of Mississippi."

(b) The plan was officially submitted on February 4, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) A change in the Opacity Regulation, section 2, Appendix C; addition of testing methods, section 8, Appendix C; addition of Permit System, Appendix G and deletion of SO_2 regulation, section 4, Appendix C submitted on May 4, 1972, by the Mississippi Air and Water Pollution Control Commission.

(2) Telegram concerning adoption of plan changes submitted on May 15, 1972, by the Mississippi Air and Water Pollution Control Commission.

(3) House Bill number 680 submitted on May 17, 1972, by the Governor.

(4) Compliance schedule revisions submitted on March 6, 1973, by the Mississippi Air and Water Pollution Control Commission.

(5) Compliance schedule revisions submitted on August 9, 1973, by the Mississippi Air and Water Pollution Control Commission.

(6) AQMA identification material submitted on March 14, 1974, by the Mississippi Air and Water Pollution Control Commission.

(7) Compliance schedules submitted on January 20, 1975, by the Mississippi Air and Water Pollution Control Commission.

(8) Revised regulations for the incineration of cotton ginning waste, submitted on August 30 and November 14, 1977, by the Mississippi Air and Water Pollution control Commission.

(9) Revised regulations for open burning, submitted on October 31, 1977, by the Mississippi Air and Water Pollution Control Commission.

(10) Revised permit regulations, submitted on March 16, 1978, by the Mississippi Air and Water Pollution Control Commission.

(11) Implementation plan revisions for the Jones County, Mississippi total suspended particulate nonattainment area, submitted on March 13, 1979, by the Mississippi Air and Water Pollution Control Commission.

(12) Revised regulation APC S-1, section 4.2(b), for emissions of sulfur oxides from the incineration of gas streams containing hydrogen sulfide, submitted on July 3, 1978; and permits containing limits on sulfur oxide emissions from individual flares, submitted on September 13, 1979, by the Mississippi Bureau of Pollution Control (see FEDERAL REGISTER of July 10, 1980).

(13) Air Quality Surveillance Plan, submitted on June 1, 1982, by the Mississippi Department of Natural Resources.

(14) Incorporation by reference of NSPS and NESHAPS (revised defini-

tion of "person", addition of paragraph 3 to section 6 of APC-S-1, addition of section 8 to APC-S-1, and addition of subparagraph 2.6.3 to APC-S-2), submitted on September 8, 1981, by the Mississippi Bureau of Pollution Control.

(15) Revised SO_2 limit for United Cement Company's Artesia kiln, and NSPS enabling regulation submitted on December 10, 1982, and adoption of six categories of NSPS submitted on December 23, 1982, by the Mississippi Bureau of Pollution Control.

(16) Revision to "Air Quality Regulations" and amendment to "Permit Regulations for the Construction and/or Operation of Air Emission Equipment" were submitted by the Mississippi Department of Natural Resources on May 11, 1984.

(i) Incorporation by reference. (A) May 11, 1984 letter from the Mississippi Department of Natural Resources to EPA amending Regulations APC-S-1 and APC-S-2.

(B) A revision adopted on May 9, 1984, adds Paragraph 3 to Mississippi's "Air Quality Regulations," APC-S-1, Section 1 "General."

(C) A revision adopted on May 9, 1984, amends Mississippi's "Permit Regulations for the Construction and/or Operation of Air Emission Equipment," APC-S-2, Paragraph 2.6.2.1.

(ii) Other materials—none.

(17) Implementation plan for lead, submitted on May 9, 1984, by the Mississippi Department of Natural Resources.

(18) Part D and other new source review provisions were submitted by the Mississippi Department of Natural Resources on November 25, 1981.

(i) Incorporation by reference.

(A) Letter dated November 25, 1981 from Mississippi Department of Natural Resources, and Mississippi Regulation APC-S-2, section 2.4.8, "Additional Requirements for a Construction Permit for a New Facility Significantly Impacting an area in which a National Ambient Air Quality Standard is being Exceeded or will be Exceeded", was adopted by the Mississippi Commission on Natural Resources on November 12, 1981. Subsection 2.4.8.1, 2.4.8.3, and 2.4.8.4 are incorporated by reference.

(ii) Additional material.

(A) Letter to Jack Ravan from Charlie E. Blalock, dated November 25, 1985, interpreting Mississippi regulations with respect to source coverage and stack heights.

(19) Stack height regulations were submitted to EPA on April 1, 1986 by the Mississippi Department of Natural Resources.

(i) Incorporation by reference.

(A) Mississippi Department of Natural Resources, Bureau of Pollution Control, Appendix C-5, Air Emission Regulations, Regulation APC-S-1, Section 9, which was adopted on March 26, 1986.

(B) Letter of April 1, 1986 from Mississippi Department of National Resources.

(ii) Additional material—none.

[37 FR 10875, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1270, see the List of CFR Sections Affected in the Finding Aid section of this volume.

§ 52.1271 Classification of regions.

The Mississippi plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photo-chemic oxidant (hydro-carbon
Mobile (Alabama)-Pensacola-Panama City (Florida)-Gulfport (Mississippi) Interstate	I	I	III	III	
Metropolitan Memphis Interstate	I	III	III	III	
Mississippi Delta Intrastate	III	III	III	III	
Northeast Mississippi Intrastate	II	III	III	III	

[37 FR 10875, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

§ 52.1272 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Mississippi's plan for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements or Part D, Title I, of the Clean Air Act as amended in 1977.

[45 FR 2032, Jan. 10, 1980]

§ 52.1273 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information in Mississippi's plan.

Air quality control region	Pollutant						
	TSP		SO		NO_x	CO	O_3
	Primary	Secondary	Primary	Secondary			
Mobile (Alabama)-Pensacola-Panama City (Florida) Gulfport (Mississippi) Interstate:							
(a) Jones County Nonattainment Area[1]	d	d	b	b	b	b	b
(b) Rest of AQCR	b	b	c	c	b	b	c
Metropolitan Memphis Interstate	c	c	b	b	b	b	c
Mississippi Delta Intrastate	b	b	b	b	b	b	b
Northeast Mississippi Intrastate	a	c	b	b	b	b	b

a. Air quality levels presently below primary standards.
b. Air quality levels presently below secondary standards.
c. June 1975.
d. December 31, 1982.

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1273 (1978).

[45 FR 2032, Jan. 10, 1980]

§ 52.1274 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations are air pollution control regulations of the State.

MISSISSIPPI

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
ADAMS COUNTY					
Calumet Petrochemicals, Inc	Natchez	APC-S-1, Sec. IV.	Feb. 27, 1973	Immediately	May 17, 1974.
T. L. James & Co., Inc	Washington	APC-S-1, Sec. III.	do	do	Do.
Jefferson Davis Memorial	Natchez	do	do	do	Do.
Natchez Charity Hospital	do	do	do	do	Do.
Ricks Lumber Co	do	do	do	do	Do.
Woolco Department Store	do	do	do	do	Do.
Johns-Manville	do	APC-S-1	June 4, 1973	do	Sept. 30, 1973.
Benbuck Lumber Co	do	do	do	do	Sept. 20, 1974.
Stahlman Lumber Co	do	do	do	do	Do.
J. M. Jones Lumber Co., Inc	do	do	do	do	Do.
Natchez Gravel Co	do	do	do	do	Do.
Jitney Jungle No. 3	do	do	do	do	Oct. 30, 1974.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Armstrong Rubber Co., Southern Division.	do	do	do	do	Apr. 12, 1974.
International Paper Co.: a. Recovery Furnace System.	do	do	do	do	May 31, 1973.
International Paper Co.: a. Lime Kiln System.	do	do	do	do	Do.
ALCORN COUNTY					
Biggersville Gin Co	Corinth	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Burnett Gin Co., Inc	Rienzi	do	do	do	Do.
Buckeye Cellulose Corp	Corinth	do	do	do	Do.
East Side Planing Mill	do	do	do	do	May 15, 1974.
Gateway Corp	do	do	do	do	Do.
Do	do	APC-S-1	Dec. 16, 1974	do	Apr. 1, 1975.
Gould, Inc	do	APC-S-1, Sec. III.	do	do	Feb. 22, 1973. May 15, 1974.
ITT Telephone Communication	do	do	do	do	Do.
Kossuth Gin Co	Kossuth	do	do	do	Dec. 1, 1974.
Magnolia Hospital	Corinth	do	do	do	Mar. 16, 1974.
Wilbanks & Coleman	do	do	do	do	Dec. 1, 1974.
Wurlitzer Co	do	do	do	do	May 17, 1974.
Worsham Brothers	do	APC-S-1	June 4, 1973	do	Sept. 19, 1974.
Choate Feed Mill	do	do	do	do	Sept. 20, 1974.
Horton Brothers	do	do	do	do	Aug. 21, 1974.
Corinth Seamless Hosiery Inc	do	do	do	do	Sept. 20, 1974.
Corinth Brick & Tile Co., Inc	do	do	do	do	Do.
Magnolia Hosiery Mill	do	do	do	do	Do.
AMITE COUNTY					
Georgia Pacific Corp	Gloster	APC-S-1	Dec. 16, 1974	Immediately	Mar. 1, 1975.
Hood Lumber Co. of Crosby	Crosby	do	do	do	July 15, 1975.
Hood Lumber Co	do	APC-S-1, Sec. III.	Feb. 27, 1973	do	May 15, 1974.
ATTALA COUNTY					
Attala Lumber Co	Attala	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
C. W. Comfort Gin	Kosciusko	do	do	do	Dec. 1, 1974.
Gibson's of Kosciusko	do	do	do	do	May 17, 1974.
International Paper Co	do	do	do	do	Dec. 1, 1973.
Kosciusko Hosiery Mills	do	do	do	do	May 17, 1974.
McCool Gin	McCool	do	do	do	Dec. 1, 1974.
West Attala Gin Co	Sallis	do	do	do	Do.
The Attala Co	Kosciusko	APC-S-1	June 4, 1973	do	Sept. 20, 1974.
Mississippi Cottonseed Products Co.	do	do	do	do	Do.
The Lawin Co	do	do	do	do	Do.
Sheller Globe Corp. Plant No. 2	do	do	do	do	Do.
Sheller Globe Corp. Plant No. 3 (Tee-Pee Burner).	do	do	do	do	Do.
Sheller Globe Corp. Plant No. 3, (Manufacturing).	do	do	do	do	Do.
BENTON COUNTY					
W. T. Akins Gin Co., Inc	Ashland	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
O. L. Brown Gin Co	Lamar	do	do	do	Do.
R. C. Davis Sawmill	Hickory Flat	do	do	do	May 1, 1974.
Early Grone Gin	Lamar	do	do	do	Dec. 1, 1974.
Hopewell Gin Co	Hopewell Community.	do	do	do	Do.
Michigan City Gin Co	Michigan City	do	do	do	Do.
Benton County Co-op	Ashland	APC-S-1	June 4, 1973	do	Sept. 20, 1974.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
BOLIVAR COUNTY					
Beulah Gin Co	Beulah	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Choctaw Gin and Elevator Co	Shaw	do	do	do	Do.
Cotton Producer's Gin	Rosedale	do	do	do	July 31, 1975.
Deeson Planting Co	Duncan	do	do	do	Dec. 1, 1974.
Delta Gin of Shelby	Shelby	do	do	do	Do.
Denton Gin Co., Inc	do	do	do	do	Do.
Dossett Plantations, Inc., Gin	Beulah	do	do	do	Do.
Enterprise Gin Co	Gunnison	do	do	do	Do.
Farmers Gin of Duncan	Duncan	do	do	do	Do.
J. J. Ferguson Ready-Mix	Greenwood	do	do	do	May 17, 1974.
Gibson Products Co	Cleveland	do	do	do	Do.
B. J. Green	Benoit	do	do	do	Do.
Green Gin	Scott	do	do	do	Dec. 1, 1974.
Gunnison Planting Seed and Gin	Gunnison	do	do	do	Do.
H. B. Hood & Sons Gin Co	do	do	do	do	July 1, 1975.
Hushpuckena Ginning Corp	Shelby	do	do	do	Dec. 1, 1974.
Jones-Pemble Gin Co	Marigold	do	do	do	Do.
Kline Planting Co	Alligator	do	do	do	July 1, 1975.
Mound Bayou Community Hospital.	Mound Bayou	do	do	do	May 17, 1974.
Mound Bayou Gin Co., Inc	do	do	do	do	Dec. 1, 1974.
New Alligator Gin Co	Alligator	do	do	do	July 1, 1975.
O'Reilly Gin Co., Inc	Boyle	do	do	do	Dec. 1, 1974.
Pace Gin Co	Pace	do	do	do	July 1, 1975.
Peoples Gin Co	Shelby	do	do	do	Do.
Planters Gin	Duncan	do	do	do	Do.
Pleasant Gin	Shaw	do	do	do	Dec. 1, 1974.
Presley Gin Co	Alligator	do	do	do	Do.
Prewitt-Reed Gin Co., Inc	Boyle	do	do	do	July 1, 1975.
Progressive Gin Co., Inc	do	do	do	do	Dec. 1, 1974.
Robbins-Long Gin Co	Rosedale	do	do	do	Do.
Robbins-Long Gin Co	Shelby	do	do	do	Do.
Scott Gin and Delinter	Scott	do	do	do	Do.
Scott Hospital	do	do	do	do	May 17, 1974.
Shelby Gin	Shelby	do	do	do	Dec. 1, 1974.
Thompson Gin Co	Mound Bayou	do	do	do	Do.
Travenol Laboratories	Cleveland	do	do	do	Mar. 16, 1974.
Valley Gin Co	Shelby	do	do	do	Dec. 1, 1974.
Waxhaw Gin Co	Rosedale	do	do	do	Do.
Zumbo Plantation Gin	Cleveland	do	do	do	Do.
Alabama Metal Products Co. (AMP CO) Inc.	Rosedale	APC-S-1	Feb. 28, 1974	do	Sept. 1, 1974.
Bunge Corp	Gunnison	do	Dec. 16, 1974	do	July 31, 1975.
Cleveland Chemical Co	Cleveland	do	June 4, 1973	do	Sept. 20, 1974.
Concrete Products Co	do	do	do	do	Do.
Douglas & Lomason Co	do	do	do	do	Do.
Sanders Elevator Corp	do	do	do	do	Do.
B & G Manufacturing Co	Benoit	do	do	do	Do.
Bolivar County Hospital	Cleveland	do	do	do	June 30, 1973.
CALHOUN COUNTY					
Boland Gin Co	Calhoun City	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
E. L. Bruce Co., Division of Cook Industries.	Bruce	do	do	do	May 17, 1974.
Calhoun County Hospital	do	do	do	do	Apr. 1, 1973.
Caviness Woodworking Co	Calhoun City	do	do	do	Feb. 24, 1974.
Caviness Woodworking Co. (Incinerator).	do	do	do	do	May 17, 1974.
Davis Gin & Farm Supply, Inc	Bruce	do	do	do	Dec. 1, 1974.
Doolittle Cotton Gin	Slate Springs	do	do	do	Do.
Furniture-Wood Products, Inc	Vardaman	do	do	do	May 17, 1974.
Phillips Gin Co	Calhoun City	do	do	do	Dec. 1, 1974.
Vardaman Gin Co., Inc	Vardaman	do	do	do	Do.
Warner Gin Co	Big Creek	do	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Williams Gin Co	Houlka	do	do	do	Do.
Calhoun County Feed Mill	Calhoun City	APC-S-1	June 4, 1973	do	Sept. 20, 1974.
Calhoun County Garment Co	do	do	do	do	Do.
Brookwood Furniture Co	Bruce	do	do	do	Sept. 22, 1974.
Calhoun Grain & Seed Elevator	do	do	do	do	Sept. 20, 1974.
Blackjack Charcoal Co	do	do	do	do	Do.
Week's Feed & Seed Mill	do	do	do	do	Do.
Vardaman Hospital	Vardaman	do	do	do	Do.
Schoofield Furniture Manufacturing Co.	Calhoun City	do	do	do	Sept. 21, 1974.
Patch Concrete Service Inc	Bruce	do	do	do	Oct. 9, 1974.
D.S.L. Manufacturing Inc	do	do	do	do	May 17, 1974.
CARROLL COUNTY					
Farmers Gin Co., Inc	North Carrollton	APC-S-1, Sec III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
McCravey Brothers Sawmill	McCorley	do	do	do	May 17, 1974.
Vaiden Gin Co	Vaiden	do	do	do	Dec. 1, 1974.
Anel Engineering Industries Inc	Winona	APC-S-1	June 4, 1973	do	Sept. 21, 1974.
Dresser Minerals	Vaiden	do	do	do	Do.
CHICKASAW COUNTY					
H. B. Carter Co., Inc	Van Vleet	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Chickasaw Handle Co., Inc	Houston	do	do	do	May 17, 1974.
R. W. Coleman Gin	Okolona	do	do	do	Dec. 1, 1974.
Consolidated Package Co., Southern Container Div.	Houston	do	do	do	May 17, 1974.
Houston Hospital, Inc	do	do	do	do	Jan. 1, 1974.
Okolona Community Hospital	Okolona	do	do	do	Apr. 15, 1974.
Shannon Chair Co	Houston	do	do	do	June 1, 1973.
Trebboc Gin Co	do	do	do	do	Dec. 1, 1974.
U.S. Plastics, Inc.	do	do	do	do	May 17, 1974.
Woodland Gin	Woodland	do	do	do	Dec. 1, 1974.
E. F. Dyer Handle Co	Houston	APC-S-1	Dec. 16, 1974	do	Mar. 20, 1975.
Chickasaw Milling Co	do	do	do	do	Sept. 20, 1974.
S & Y, Inc	do	do	do	do	Do.
Patch Concrete Service, Inc	do	do	do	do	Oct. 9, 1974.
Houston Feed Mills	do	do	do	do	Sept. 15, 1974.
CHOCTAW COUNTY					
Ackerman Planing Mill Co	Ackerman	APC-S-1, Sec. III.	Dec. 16, 1974	Immediately	May 17, 1974.
Fondren & McAdams Sawmil	Mathiston	do	do	do	Do.
CLAIBORNE COUNTY					
Hood Lumber Co	Hermanville	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Sept. 15, 1974.
Pickens Brothers Lumber Co., Inc.	Port Gibson	do	do	do	May 17, 1974.
Do	do	APC-S-1	Dec. 16, 1974	do	Do.
Port Gibson Oil Works	do	do	June 4, 1973	do	Sept. 20, 1974.
King Construction Co	do	do	do	do	Do.
CLARKE COUNTY					
Gay Doors, Inc	Quitman	APC-S-1, Sec. III.	June 4, 1973	Immediately	May 17, 1974.
Hood Charcoal Co	Pachuta	do	do	do	Jan. 31, 1974.
Mayo Lumber Co	Quitman	do	do	do	May 17, 1974.
Standard Cotton Gin Co., Inc	do	do	do	do	Sept. 31, 1973.
Morris Feed Mill	Enterprise	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Shell Oil Co., Goodwater plant	Shubuta	do	do	do	Do.
Hood Charcoal Co. Division of Masonite Corp.	Pachuta	do	Feb. 28, 1974	do	Mar. 31, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Monroe Allen Contract	Enterprise	do	June 4, 1973	do	Sept. 20, 1974
Koppers Co., Inc	Stonewall	do	do	do	Do.
CLAY COUNTY					
Babcock and Wilcox Co	West Point	APC-S-1, Sec. III.	June 4, 1973	Immediately	Dec. 1, 1973
Inter Dyeing Finishes	do	do	do	do	May 17, 1974
Leisure Group, Inc., Blazen Division.	do	do	do	do	Do.
Walters Gin Co	Pheba	do	do	do	Dec. 1, 1974
Crown Chemical & Mfg. Co	West Point	APC-S-1	do	do	Sept. 20, 1974
Pennabaker Ready Mix Concrete	do	do	do	do	Do.
Truelove Lumber Co	do	do	do	do	Do.
Winters Dimension Mill	do	do	do	do	Do.
Allied Enterprises of Pheba	Pheba	do	do	do	Do.
Building Service Co	West Point	do	do	do	Do.
Mary Holmes College	do	do	do	do	Do.
Phillips Contracting Co., Columbus.	do	do	do	do	Aug. 15, 1974
COAHOMA COUNTY					
Adams Gin Co	Clarksdale	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974
Carr Gin Co	do	do	do	do	Do.
Clarksdale King-Anderson Co	do	do	do	do	Do.
Connell & Co	do	do	do	do	Do.
Cotton Gin Co	Dublin	do	do	do	Do.
County Line Gin Co., Inc	Jonestown	do	do	do	Do.
Eastover Plantation Gin	Bobo	do	do	do	Do.
Eastside Gin Co	Jonestown	do	do	do	Do.
F & S Gin Co	Coahoma	do	do	do	Do.
Farrell Gin Co	Clarksdale	do	do	do	Do.
Flowers Brothers Gin	Dublin	do	do	do	Do.
Flowers Brothers Gin	Tutweiler	do	do	do	Do.
Flowers Gin Co	Mattson	do	do	do	Do.
Garrett Sons Gin	Clarksdale	do	do	do	July 1, 1975
Jonestown Delta Gin Co	Jonestown	do	do	do	Dec. 1, 1974
Kyle Manufacturing Co., Inc	Clarksdale	do	do	do	May 17, 1974
Kyle and Williams Gin, Inc	do	do	do	do	Dec. 1, 1974
Lula Gin Co	Lula	do	do	do	Do.
Maryland Planting Co	Clarksdale	do	do	do	Do.
Carl C. May Gin	Lula	do	do	do	Do.
Mohead Planting Co	do	do	do	do	July 1, 1975
Premium Gin Co	Bobo	do	do	do	Do.
Quality Concrete Products	Clarksdale	do	do	do	May 17, 1974
Rich Gin Co	Rich	do	do	do	Dec. 1, 1974
L. A. Ross Gin Co	Clarksdale	do	do	do	July 1, 1975
Rudyard Gin Co., Inc	Coahoma	do	do	do	Dec. 1, 1974
John H. Sherrard & Sons Gin	Sherrard	do	do	do	Do.
Stovall Gin Co	Stovall	do	do	do	Do.
Claremont Gin	Clarksdale	APC-S-1	Dec. 16, 1974	do	Feb. 22, 1975
Coahoma Chemical Co., Inc	do	do	June 4, 1973	do	Sept. 20, 1974
Delta Oil Mill, Inc	Jonestown	do	do	do	Do.
Presley Gin Co	Alligator	do	do	do	Dec. 1, 1974.
City of Clarksdale Water & Light Department.	Clarksdale	do	do	do	Oct. 25, 1974.
COPIAH COUNTY					
Carpenter's Gin	Carpenter	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Central Box Co	Crystal Springs	APC-S-1	do	do	Mar. 23, 1974.
Copiah County Manufacturing Co.	Hazlehurst	APC-S-1, Sec. III.	do	do	May 17, 1974.
General Equipment Manufacturing, Inc	Crystal Springs	do	do	do	Do.
Georgetown Gin Co	Georgetown	do	do	do	Dec. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Edward Hyman Co	Hazlehurst	do	do	do	Apr. 1, 1973.
Kellwood Co., Kingwell Group	Wesson	do	do	do	May 17, 1974.
Kopper's Co., Inc	Georgetown	do	do	do	Do.
Pitt's Cotton Gin	Hazlehurst	do	do	do	Dec. 1, 1974.
Royal Maid, Inc	do	do	do	do	May 17, 1974.
Hardy Wilson Memorial Hospital	do	do	do	do	Do.
Copiah County Manufacturing Co.	do	APC-S-1	Dec. 16, 1974	do	Nov. 15, 1974.
Hazlehurst Box Co	do	do	do	do	July 31, 1975.
Hood Lumber of Georgetown	Georgetown	do	do	do	Dec. 21, 1974.
Emerite Corp	Hazlehurst	do	June 4, 1973	do	Sept. 21, 1974.
Hutchison Lumber Co	Georgetown	do	do	do	Do.
Sanderson Farms Inc	Hazlehurst	do	do	do	Do.
T. L. James & Co	Mississippi Highway 26 east of I-55.	do	do	do	Oct. 15, 1974.
Edward Hines Lumber Co	Hazlehurst	do	do	do	May 17, 1974.
COVINGTON COUNTY					
Mount Olive Compress	Mount Olive	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Seminary Gin Co	Seminary	do	do	do	Do.
W. E. Blain & Son, Inc	Mount Olive	APC-S-1	June 4, 1973	do	Sept. 21, 1974.
Pine Belt Ready Mix Concrete	Collins	do	do	do	Do.
Polk & Duckworth Feed Mills	Mt. Olive	do	do	do	Do.
Rutland Lumber Co	Collins	do	do	do	Do.
Upton Milling Co	do	do	do	do	Do.
DESOTO COUNTY					
Continental Foundry and Machine Works.	Olive Branch	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Desoto Redi-Mix Co	Southaven	do	do	do	Do.
Dover Corporation	Horn Lake	do	do	do	Do.
Farmer's Gin Co	Nesbit	do	do	do	Dec. 1, 1974.
Green Duck	Hernando	do	do	do	May 17, 1974.
Hernando Packing Co	do	do	do	do	Do.
Hernando Ready-Mix, Inc	do	do	do	do	Do.
Imperial Manufacturing Co	Walls	do	do	do	May 1, 1974.
W. E. Lamb Gin	Mineral Wells	do	do	do	Dec. 1, 1974.
Producers Gin of Hernando	Hernando	do	do	do	Dec. 1, 1973.
Specialty Feeds, Inc	Southaven	do	do	do	May 17, 1974.
Tract-O-Land Plantation	Lake Cormorant	do	do	do	Dec. 1, 1974.
Underwood Glass Co	Mineral Wells	do	do	do	May 17, 1974.
Walls Gin Co	Walls	do	do	do	Dec. 1, 1974.
Watson Gin Co	Byhalia	do	do	do	Do.
Wire Fabricating Co	Hernando	do	do	do	May 17, 1974.
Dutchess Furniture Co	do	APC-S-1	Dec. 16, 1974	do	Feb. 21, 1975.
Continental Foundry & Machine Works.	Olive Branch	do	Feb. 28, 1974	do	Dec. 17, 1974.
Forging Die Engineering Co	do	APC-S-1	June 4, 1973	do	Oct. 20, 1974.
Douglas Corp	Nesbit	APC-S-1	do	do	Do.
Desoto Chemical & Supply Co	do	APC-S-1	do	do	Do.
Central Concrete Co	Horn Lake	APC-S-1	do	do	Do.
American Electric Manufacturing Corp.	Southhaven	APC-S-1	do	do	Do.
Ajax Lumber Co	Olive Branch	APC-S-1	do	do	Do.
Light & Power Utilities Corp	do	APC-S-1	do	do	Dec. 15, 1974.
Amax Aluminum Extrusion Products.	Hernando	APC-S-1	do	do	Oct. 1, 1974.
Unitizer Co	Olive Branch	APC-S-1	do	do	Oct. 20, 1974.
Tex Gas	Southhaven	APC-S-1	do	do	Do.
Plastic Laminates	Walls	APC-S-1	do	do	Do.
Olive Branch Ready Mix	Olive Branch	APC-S-1	do	do	Do.
Memphis Chair Co	Hernando	APC-S-1	do	do	Do.
Olive Branch Motor Co	Olive Branch	APC-S-1	do	do	Do.
Magnolia Kitchens Products	do	APC-S-1	do	do	Do.
KERVAN Metal Products	do	APC-S-1	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Holiday Industries	Hernando	APC-S-1	do	do	Do.
Gayoso Farms	Horn Lake	APC-S-1	do	do	Do.
FORREST COUNTY					
Big Yank Corp	Hattiesburg	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974
Big Yank Corp. (100 Furgeson)	do	APC-S-1, Sec. III.	do	do	Do.
Dixie Pine Products Co	do	APC-S-1, Sec. III.	do	do	Do.
Hattiesburg Mfg. Co	do	APC-S-1, Sec. III.	do	do	Do
Hood Lumber Co	do	APC-S-1, Sec. III.	do	do	Mar. 1, 1974.
Inland Container Corp	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
MFC Services, Bovie Pl	do	APC-S-1, Sec. III.	do	do	Do.
Mississippi Chemical Corp	do	APC-S-1, Sec. III.	do	do	Sept. 1, 1973.
Dairy Fresh Corp	do	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Dixie Pole & Piling Co	do	APC-S-1	do	do	Mar. 26, 1975.
Hood Lumber of Hattiesburg, treating division.	do	APC-S-1	do	do	Mar. 1, 1975.
A & R Feed Mill	do	APC-S-1	June 4, 1973	do	Oct. 1, 1974.
Alexander Materials Co., Inc	Petal	APC-S-1	do	do	Do.
F & S Presstress, Inc	Hattiesburg	APC-S-1	do	do	Do.
Hattiesburg Concrete Products Co.	do	APC-S-1	do	do	Do.
Hattiesburg Compress Co	do	APC-S-1	do	do	Do.
Mack's Ready Mix Concrete Co., Inc.	do	APC-S-1	do	do	Do.
McCoy Ready Mixed Concrete	do	APC-S-1	do	do	Do.
Callahan Ready Mix Concrete Co., Inc.	do	APC-S-1	do	do	Oct. 20, 1974.
W. E. Blain & Sons	do	APC-S-1	do	do	Do.
Southeastern Concrete, Inc	do	APC-S-1	do	do	Oct. 6, 1974.
Miss. Poultry Co	do	APC-S-1	do	do	Oct. 9, 1974.
Koppers Co., Inc	do	APC-S-1	do	do	Do.
Murray Envelope Corp	do	APC-S-1	do	do	Do.
FRANKLIN COUNTY					
Ford Construction Co	Lucien	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	June 1, 1973.
Franklin County Memorial Hospital.	Meadville	APC-S-1, Sec. III.	do	do	May 17, 1974.
Koppers Co., Inc	Bude	APC-S-1, Sec. III.	do	do	Do.
Southern American Corp	Roxie	APC-S-1, Sec. III.	do	do	Do.
Klumb Manufacturing Co	Bude	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Georgia-Pacific	Roxie	APC-S-1	June 4, 1974	do	Oct. 20, 1974.
GEORGE COUNTY					
George County Hospital	Lucedale	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Lucedale Ready Mix Concrete Co.	do	APC-S-1, Sec. III.	do	do	Do.
U. B. Wilson	do	APC-S-1	June 4, 1973	do	Oct. 6, 1974.
J. M. Rogers & Sons, Inc	Benndale	APC-S-1	do	do	Dec. 1, 1974.
O'Neal Logging Co., Inc	Lucedale	APC-S-1	do	do	Oct. 6, 1974.
A. F. Holcomb Lumber Co	do	APC-S-1	do	do	Do.
M. W. Hicks	do	APC-S-1	do	do	Do.
Jim Havens	Benndale	APC-S-1	do	do	Do.
Dickerson Sawmill Co	Lucedale	APC-S-1	do	do	Oct. 1, 1974.
Evans Feed & Supply	do	APC-S-1	do	do	Sept. 9, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
GRENADA COUNTY					
Graysport Cooperative Gin	Gore Springs	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Grenada Concrete Products Co	Grenada	APC-S-1, Sec. III.	do	do	May 17, 1974.
W. E. Hames Gin	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Hankins Lumber Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Holcomb Electric Gin	Holcomb	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Leflore Farms Gin	Leflore	APC-S-1	do	do	Do.
North American Rockwell Corp	Grenada	APC-S-1, Sec. III.	do	do	Do.
Round the Clock Hosiery, Div. of U.S. Industries.	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Sunflower Food Store	do	APC-S-1, Sec. III.	do	do	Do.
Koppers Co., Inc	Tie Plant	APC-S-1, Sec. III.	do	do	Do.
J. D. Vaughan Sawmill	Grenada	APC-S-1	June 4, 1973	do	Oct. 6, 1974.
Grenada Steam Laundry & Cleaners.	do	APC-S-1	do	do	Do.
Grenada County Hospital	do	APC-S-1	do	do	Oct. 1, 1974.
Grenada Sand & Gravel Co	do	APC-S-1	do	do	Sept. 1, 1974.
Memphis Hardwood Flooring Co	do	APC-S-1	do	do	Aug. 20, 1974.
HANCOCK COUNTY					
T. L. James & Co	Pearlington (near I-10).	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Do	Pearlington (on Hwy 607).	APC-S-1, Sec. III.	do	do	Do.
Jitney Jungle No. 34	Bay St. Louis	APC-S-1, Sec. III.	do	do	Do.
Winn-Dixie No. 1475	do	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Monitor Panel Co	do	APC-S-1	June 4, 1973	do	Oct. 6, 1974.
Terry Feeney, Inc	Waveland	APC-S-1	do	do	Do.
Wallace-Murray Corp	Bay St. Louis	APC-S-1	do	do	Oct. 1, 1974.
Hancock General Hospital	do	APC-S-1	do	do	Oct. 30, 1974.
HARRISON COUNTY					
Howard Memorial Hospital	Biloxi	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Jitney Jungle No. 32	Gulfport	APC-S-1, Sec. III.	do	do	May 30, 1974.
Litchfield Plating	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Mississippi-Gulfport Compress & Warehouse.	Ocean Springs	APC-S-1, Sec. III.	do	do	Do.
Faulkner Concrete Pipe Co	Gulfport	APC-S-1	June 4, 1973	do	Oct. 6, 1974.
Cumbest Manufacturing Co	Pass Christian	APC-S-1	do	do	Do.
Chemfax, Inc	Gulfport	APC-S-1	do	do	Do.
Biloxi Block Co., Inc	do	APC-S-1	do	do	Do.
Allied Enterprises	do	APC-S-1	do	do	Do.
A & P Supermarket No. 114	Long Beach	APC-S-1	do	do	Do.
Mavar Shrimp & Oyster Co	Biloxi	APC-S-1	do	do	Oct. 1, 1974.
Masonite Corp. Alpine Div	Gulfport	APC-S-1	do	do	Do.
Gulf Paving, Inc	do	APC-S-1	do	do	Do.
Gulfport Glass Corp	do	APC-S-1	do	do	Do.
Hi-Life Packing Co	do	APC-S-1	do	do	Do.
Hubbell Machine Equipment	Biloxi	APC-S-1	do	do	Do.
Industrial Steel & Machine Works.	Gulfport	APC-S-1	do	do	Do.
McElroy Machine & Manufacturing Co., Inc.	Biloxi	APC-S-1	do	do	Do.
Maybelle Dress Manufacturing	Gulfport	APC-S-1	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Progressive Metallurgy		APC–S–1	do	do	Do.
West Creek Lumber Co	Saucier	APC–S–1	do	do	Do.
PlastiFax	Gulfport	APC–S–1	do	do	Oct. 13, 1974.
Holcomb Asphalt Company, Inc	do	APC–S–1	do	do	Dec. 15, 1974.
Coastal Materials Co	do	APC–S–1	do	do	Oct. 1, 1974.
Clements Wire & Manufacturing Co.	Biloxi	APC–S–1	do	do	Oct. 6, 1974.
HINDS COUNTY					
Asphalt Paving Co	Jackson	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Farmers Gin Co	Edwards	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Farmers Gin Co., Inc	Pocohontas	APC–S–1, Sec. III.	do	do	Do.
Gaddis & McLaurin Gin Inc	Bolton	APC–S–1, Sec. III.	do	do	Do.
General Electric Co., Jackson Glass Plant.	Jackson	APC–S–1, Sec. III.	do	do	May 1, 1975.
Hinds Wood Perserving Co., Inc	Learned	APC–S–1, Sec. III.	do	do	May 17, 1974.
Learned Gin Co	do	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
A. P. Lindsey Distribution, Inc	Jackson	APC–S–1, Sec. III.	do	do	May 17, 1974.
Magnolia Towers, Inc	do	APC–S–1, Sec. III.	do	do	Do.
Mississippi Baptist Hospital	do	APC–S–1, Sec. III.	do	do	Do.
Mississippi Materials Co	do	APC–S–1, Sec. III.	do	do	Mar. 1, 1975.
Swift Agricultural Chemicals Corp.	do	APC–S–1, Sec. III.	do	do	Mar. 1, 1974.
Utica Lumber & Gin Co	Utica	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Millers Discount Store (incinerator).	Jackson	APC–S–1	Dec. 16, 1974	do	July 31, 1975.
J. J. Ferguson Ready Mix-Hot Mix Co.	do	APC–S–1	Feb. 28, 1974	do	Dec. 1, 1974.
Mississippi Foundry & Machine Co., Inc.	do	APC–S–1	do	do	Dec. 31, 1973.
General Tire Service	do	APC–S–1	do	do	May 1, 1975.
Presto Manufacturing Co	do	APC–S–1	Dec. 16, 1974	do	July 31, 1975.
Delta Asphalt, Inc	do	APC–S–1	Feb. 28, 1974	do	May 17, 1974.
Delta Industries (Pre-stressed Concrete Facility).	do	APC–S–1	June 4, 1973	do	Oct. 1, 1974.
Delta Industries (Light-weight Aggregate Facility).	do	APC–S–1	do	do	Do.
Klean Steel Mfg. Co	do	APC–S–1	do	do	May 1, 1973.
MacGowan Coffee Co	do	APC–S–1	do	do	Oct. 6, 1974.
V. A. Taylor Dogwood Mill	Utica	APC–S–1	do	do	Do.
Union Fork & Hoe Co	Jackson	APC–S–1	do	do	Do.
Valley Cement Industries	do	APC–S–1	do	do	Do.
Vaughn Construction Co	do	APC–S–1	do	do	Do.
Westbrook Manufacturing Co	do	APC–S–1	do	do	Do.
Whitfield Milling Co	do	APC–S–1	do	do	Do.
Gilken Gin Co	Edwards	APC–S–1	do	do	Dec. 1, 1974.
O. R. Johnson Milling Co	Clinton	APC–S–1	do	do	Sept. 28, 1974.
Magna American Corp	Raymond	APC–S–1	do	do	Oct. 1, 1974.
Borden's	do	APC–S–1	do	do	Do.
Delta Industries (Concrete Block Facility).	do	APC–S–1	do	do	Do.
Delta Industries (Ready-Mix Concrete Facility).	do	APC–S–1	do	do	Do.
Jackson Iron & Metal Works	do	APC–S–1	do	do	Dec. 15, 1974.
Atlanta Scrap Processors, Inc	do	APC–S–1	do	do	Oct. 1, 1974.
Warren Brothers	do	APC–S–1	do	do	Aug. 20, 1974.
Filtrol Corp	do	APC–S–1	do	do	Aug. 19, 1974.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Zincon Electronic Products	do	APC-S-1	do	do	Oct. 6, 1974.
Harper Foundry and Machine Co	do	APC-S-1	do	do	Sept. 12, 1974.
Kitchens Brothers Manufacturing	Utica	APC-S-1	do	do	Sept. 29, 1974.
Burger King Restaurant, Inc	Jackson	APC-S-1	do	do	Oct. 20, 1974.
Delta Cotton Gin & Fertilizer Co	do	APC-S-1	do	do	July 31, 1975.
Dura-Tuff Treads, Inc	do	APC-S-1	do	do	June 30, 1975.
HOLMES COUNTY					
Burrows Southern Corp	Pickens	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974
Cruger Gin	Cruger	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
District Two Community Hospital	Durant	APC-S-1, Sec. III.	do	do	May 17, 1974
Fleetwood Homes of Mississippi	Lexington	APC-S-1, Sec. III.	do	do	Do.
Goodhope Gin	Thornton	APC-S-1, Sec III.	do	do	Dec. 1, 1974
Goodman Gin Co	Goodman	APC-S-1, Sec. III.	do	do	Do.
Honey Island Gin Co	Cruger	APC-S-1, Sec. III.	do	do	Do.
Horseshoe Gin Co., Inc	Tehula	APC-S-1, Sec III.	do	do	Jan. 1, 1974.
Howard Gin Co	Lexington	APC-S-1, Sec III.	do	do	Dec. 1, 1974
Humphrey Gin Co	Ebenezer	APC-S-1, Sec. III.	do	do	Do.
Keirn Gin Co	Cruger	APC-S-1, Sec. III.	do	do	Do.
Mid-State Paving Co	Pickens	APC-S-1, Sec. III.	do	do	May 17, 1974
Parrish Gin	Lexington	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Planters Gin	Tehula	APC-S-1, Sec. III.	do	do	Do.
Riverside Gin Co	Pickens	APC-S-1, Sec. III.	do	do	Do.
S & G Lumber Co	Tchula	APC-S-1, Sec. III.	do	do	May 17, 1974.
Thornton Gin Co	Thornton	APC-S-1, Sec III.	do	do	Dec. 1, 1974.
West Gin	West	APC-S-1, Sec. III.	do	do	Do.
Leon Worrell Ready Mix Plant	Durant	APC-S-1, Sec. III.	do	do	May 17, 1974.
Durant Sportswear, Inc	do	APC-S-1	June 4, 1973	do	Oct. 6, 1974.
Ebenezer Gin	Ebenezer	APC-S-1	do	do	Dec. 1, 1974.
Alfred H. Ervin	Lexington	APC-S-1	do	do	Oct. 6, 1974.
Mileston Corp. AAL	Tehula	APC-S-1	do	do	Dec. 1, 1974.
Pluto Planting Co	Thornton	APC-S-1	do	do	Do.
Koppers Co., Inc	Durant	APC-S-1	do	do	Aug. 15, 1974.
A & B Milling Co., Inc	do	APC-S-1	do	do	Sept. 20, 1974.
HUMPHREYS COUNTY					
Belzoni Gin Company	Belzoni	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
C. B. Box Company	Midnight	APC-S-1, Sec. III.	do	do	Do.
The Delta Company	Belzoni	APC-S-1, Sec. III.	do	do	Do.
Evans & Son Gin	Isola	APC-S-1, Sec. III.	do	do	Do.
Farmer's Gin Co., Ltd	Louise	APC-S-1, Sec. III.	do	do	July 1, 1975.
Farmer's Gin Co., Inc	Silver City	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Ferguson Bros. Construction Co	Belzuni	APC–S–1, Sec. III.	do	do	Feb. 1, 1974.
McMath Gin	Isola	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Midnight Gin Co., Inc	Silver City	APC–S–1, Sec. III.	do	do	Do.
Service Gin Co	Isola	APC–S–1, Sec. III.	do	do	Do.
Sewards Harris Gin Co	Midnight	APC–S–1, Sec. III.	do	do	July 1, 1975.
B. W. Smith Gin	Louise	APC–S–1, Sec. III.	do	do	Do.
Belzoni Nitrogen Corp	Belzoni	APC–S–1	June 4, 1973	do	Oct. 6, 1974.
Y-D Lumber Co	do	APC–S–1	do	do	Do.
Turners Gin	do	APC–S–1	do	do	Dec. 1, 1974
Planters Gin of Belzoni, Inc	do	APC–S–1	do	do	July 31, 1975.
ISSAQUENA COUNTY					
Mayersville Gin Co	Mayersville	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Planters Gin of Grace, Inc	Grace	APC–S–1, Sec. III.	do	do	Do.
Valley Park Gin Co., Inc	Valley Park	APC–S–1, Sec. III.	do	do	Do.
Bunge Corp	Mayersville	APC–S–1	Dec. 16, 1974	do	July 31, 1975
ITAWAMBA COUNTY					
Bark Gin Co	Marietta	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Dura-Crates	Fulton	APC–S–1, Sec. III.	do	do	Mar. 15, 1974.
Homan Wood Products	do	APC–S–1, Sec. III.	do	do	Dec. 31, 1973.
Itawamba Co. Hospital	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
J. C. McDaniel Gin	do	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
McFerrin Gin	Mantachie	APC–S–1, Sec. III.	do	do	Do.
Murphree Bros	Tremont	APC–S–1, Sec. III.	do	do	May 17, 1974.
S. A. McDaniel Gin	Dorsey	APC–S–1	Feb. 28, 1974	do	Dec. 1, 1974
American Colloid Co	Fulton	APC–S–1	June 4, 1973	do	Oct. 6, 1974.
Blue Bell, Inc	do	APC–S–1	do	do	Do.
Riley Lumber Co	do	APC–S–1	do	do	Do.
T. F. Evans Lumber Co., Inc	Evergreen	APC–S–1	do	do	Sept. 15, 1974.
JACKSON COUNTY					
Gibson Products Co	Pascagoula	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Ingall's Nuclear Shipbuilding Co	do	APC–S–1, Sec. III.	do	do	Do.
Jitney Jungle No. 37	do	APC–S–1, Sec. III.	do	do	Do.
Wayne Lee Grocery & Market	do	APC–S–1, Sec. III.	do	do	Do.
Mississippi Chemical Corp. No. 2 mixed fertilizer plant.	do	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Mississippi Chemical Corp. No. 3 mixed fertilizer plant.	do	APC–S–1, Sec. III.	do	do	Aug. 1, 1974.
Mississippi Chemical Corp. Nos. 1, 2, 3, fertilizer storage.	do	APC–S–1, Sec. III.	do	do	July 1, 1974.
Ocean Springs Hospital	Ocean Springs	APC–S–1, Sec. III.	do	do	May 17, 1974.
Ocean Springs State Bank	do	APC–S–1, Sec. III.	do	do	Do.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Pascagoula Moss Point Bank	Pascagoula	APC–S–1, Sec. III.	do	do	Do.
Quaker Oats Co.—Pet Food Division.	do	APC–S–1, Sec. III.	do	do	Do.
Thiokol Chemical Corp	Moss Point	APC–S–1, Sec. IV.	do	do	July 31, 1974.
Jitney Jungle Food Store	do	APC–S–1	Feb. 28, 1974	do	Jan. 25, 1975.
Ocean Springs Nursing Center (incinerator).	Ocean Springs	APC–S–1	Dec. 16, 1974	do	July 31, 1975.
Mississippi Chemical Corp., phosphate rock storage and handling facility.	Pascagoula	APC–S–1	do	do	Mar. 1, 1975.
No. 2 Mixed Fertilizer Plant	do	APC–S–1	do	do	Mar. 15, 1975.
Blossman Concrete Ready-Mix, Inc.	Ocean Springs	APC–S–1	Feb. 28, 1974	do	Apr. 22, 1975.
Mississippi Chemical Corp., No. 1, No. 2, and No. 3, fertilizer storage building.	Pascagoula	APC–S–1	Dec. 16, 1974	do	Mar. 1, 1975.
PAVCo Industries, Inc	do	APC–S–1	do	do	July 31, 1975.
Concrete Products and Supply and Weatherby Materials.	Escatawpa	APC–S–1	Feb. 28, 1974	do	Dec. 22, 1974.
Corchem, Inc	Pascagoula	APC–S–1	do	do	July 31, 1975.
Chicago Bridge & Iron	do	APC–S–1	June 4, 1973	do	Sept. 15, 1974.
Conway Woodworking Co	do	APC–S–1	do	do	Do.
Crossfield Products	do	APC–S–1	do	do	Do.
M. M. Flechas Shipyard	do	APC–S–1	do	do	Do.
Graham Boats, Inc	do	APC–S–1	do	do	Do.
Halter Marine Fabricators, Inc	Moss Point	APC–S–1	do	do	Do.
Jitney Jungle	do	APC–S–1	do	do	Do.
Katz & Besthoff, Inc	Pascagoula	APC–S–1	do	do	Do.
Leo Krebs & Sons	do	APC–S–1	do	do	Do.
F. B. Walker & Sons, Inc	do	APC–S–1	do	do	Oct. 6, 1974.
Weatherby Materials, Inc	Moss Point	APC–S–1	do	do	Oct. 30, 1974.
Delta Creosoting Company, Inc	Gautier	APC–S–1	do	do	Do.
Standard Oil Co	Pascagoula	APC–S–1	do	do	Oct. 24, 1974.
International Paper (Tee Pee Burner).	Moss Point	APC–S–1	do	do	Oct. 30, 1973.
Mississippi Chemical Corp., No. 1 Mixed Fertilizer Plant.	Pascagoula	APC–S–1	Feb. 27, 1973	do	July 1, 1975.
JASPER COUNTY					
B & T Handle Co	Bay Springs	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Heidelburg Lumber Co	Heidelburg	APC–S–1, Sec. III.	do	do	Do.
Hens, Inc	Bay Springs	APC–S–1, Sec. III.	do	do	Do.
Jasper General Hospital	do	APC–S–1, Sec. III.	do	do	Do.
Stringer Farmers Gin	Stringer	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Georgia Pacific Corp	Bay Springs	APC–S–1	Dec. 16, 1974	do	Apr. 1, 1975.
Skelly Oil Co	do	APC–S–1	June 4, 1973	do	Oct. 1, 1974.
V. A. Sauls	Heidelburg	APC–S–1	do	do	Do.
JEFFERSON COUNTY					
Fayette Enterprises, Inc	Fayette	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Jan. 1, 1975.
Feeders Milling Co	do	APC–S–1	June 4, 1973	do	Sept. 28, 1974.
Jefferson County Hospital	do	APC–S–1	do	do	Do.
JEFFERSON DAVIS COUNTY					
Jefferson Davis County Hospital	Prentiss	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Prentiss Creosote Mat., Inc	do	APC–S–1, Sec. III.	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Rutland Gin	....do	APC–S–1, Sec. III.	June 4, 1973	....do	Dec. 1, 1974.
South Central Ready-Mix, Inc	....do	APC–S–1, Sec. III.	....do	....do	May 17, 1974.
Bassfield Feed Mill	Bassfield	APC–S–1	Dec. 16, 1974	....do	July 31, 1975.
Reardon Lumber Co	Prentiss	APC–S–1	June 4, 1973	....do	Sept. 28, 1974.
Edward Hyman Co	....do	APC–S–1	....do	....do	Oct. 1, 1974.
Stamps Lumber Co	....do	APC–S–1	....do	....do	Do.
		JONES COUNTY			
Jones County Community Hospital.	Laurel	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Jones County Comm. Hosp. Annex.	....do	APC–S–1, Sec. III.	....do	....do	Do.
Laurel General Hospital	....do	APC–S–1, Sec. III.	....do	....do	Do.
South Mississippi Power Association, Moselle general plant.	Moselle	APC–S–1, Sec. III and Sec. IV.	....do	....do	Do.
Woodall Industries	Laurel	APC–S–1, Sec. III.	....do	....do	Do.
Hood Lumber of Laurel	....do	APC–S–1	Dec. 16, 1974	....do	Oct. 13, 1974.
Hoss Ready Mix Concrete	....do	....do	....do	....do	July 31, 1975.
Beard's Feed & Fertilizer	....do	APC–S–1	June 4, 1973	....do	Sept. 28, 1974.
Baroid Division, National Lead	....do	APC–S–1	....do	....do	Do.
Dresser Industries	....do	APC–S–1	....do	....do	Do.
Laurel Machine & Foundry Co	....do	APC–S–1	....do	....do	Do.
Lone Star Producing Co	....do	APC–S–1	....do	....do	Sept. 30, 1974.
James Fuller Hickory Mill (Lindsey Wagon Co.).	....do	APC–S–1	....do	....do	Oct. 1, 1974.
Morgan Wood Ind	....do	APC–S–1	....do	....do	Oct. 9, 1974.
S. T. Owens Asphalt	Ellisville	APC–S–1	....do	....do	Do.
U.S. Plywood, Champion Papers Inc.	Laurel	APC–S–1	....do	....do	Do.
Pine Belt Ready Mix Concrete, Inc.	....do	APC–S–1	....do	....do	Sept. 30, 1973.
Hood Lumber Co	....do	APC–S–1	....do	....do	Oct. 1, 1974.
Laurel Concrete Products	Meridian Ave., Laurel.	APC–S–1	....do	....do	June 6, 1973.
Do	North 13th Ave., Laurel.	APC–S–1	....do	....do	Do.
		KEMPER COUNTY			
Kemper County Hospital	DeKalb	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Weyerhauser Co	Electric Mills	APC–S–1, Sec. III.	....do	....do	Do.
J. A. McDade Lumber Co	Electric Mills	APC–S–1	June 4, 1973	....do	Oct. 9, 1974.
Monroe Dean Sawmill	Dekalb	APC–S–1	....do	....do	Do.
Nolan Martin Sawmill	Scooba	APC–S–1	....do	....do	Do.
Koppers, Inc	Electric Mills	APC–S–1	....do	....do	Oct. 13, 1974.
		LAFAYETTE COUNTY			
Abbeville Gin Inc	Abbeville	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
C & F Contracting Co., Inc	Oxford	APC–S–1, Sec. III.	....do	....do	May 17, 1974.
Oxford Asphalt Co., Inc	....do	APC–S–1, Sec. III.	....do	....do	Do.
J. J. Ferguson Ready Mix-Hot Mix Co.	....do	APC–S–1	Dec. 16, 1974	....do	Dec. 1, 1974.
A & S Paving	....do	APC–S–1	June 4, 1973	....do	Oct. 9, 1974.
Chambers Corp	....do	APC–S–1	....do	....do	Do.
Emerson Electric	....do	APC–S–1	....do	....do	Do.
W. E. "Pat" Gandy	Paris	APC–S–1	....do	....do	Do.
Oxford Milling Co	Oxford	APC–S–1	....do	....do	Do.

Mississippi—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Elliot Lumber Co	......do	APC-S-1	......do	......do	Oct. 30, 1974.
Oxford-Lafayette County Hospital.	......do	APC-S-1	......do	......do	Aug. 15, 1974.
LAMAR COUNTY					
James C. Broome Sawmill	Sumrall	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Gulf Oil Co., U.S. Black Creek Refinery.	Purvis	APC-S-1, Sec. III.	......do	......do	Do.
Lamar Co. Development Corp	......do	APC-S-1, Sec. III.	......do	......do	Do.
Lumberton Citizens Hospital	Lumberton	APC-S-1, Sec. III.	......do	......do	Do.
Joe N. Miles & Sons, Inc	......do	APC-S-1, Sec. III.	......do	......do	Do.
Kaiser Aluminum & Chemical Corp., Purvis Coke-cleaning facility.	Purvis	APC-S-1	Sept. 11, 1973	......do	May 1, 1975.
Amerada Hess	......do	APC-S-1	June 4, 1973	......do	Oct. 9, 1974.
B. K. Pole & Timber Co	Lumberton	APC-S-1	......do	......do	Do.
Breland Ready Mix & Supply Co	......do	APC-S-1	......do	......do	Do.
Do	Purvis	APC-S-1	......do	......do	Do.
Purvis Hardwood Lumber Co	......do	APC-S-1	......do	......do	Do.
Southland Oil Co	Lumberton	APC-S-1	......do	......do	Do.
Williamson & Williamson Lumber	Sumrall	APC-S-1	......do	......do	Do.
LAUDERDALE COUNTY					
American Wood Products	Meridian	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Apr. 7, 1973.
Davis Gin	......do	APC-S-1, Sec. III.	......do	......do	Dec. 1, 1974.
Gaylords of Meridian	......do	APC-S-1, Sec. III.	......do	......do	May 17, 1974.
Jitney Jungle No. 4	......do	APC-S-1, Sec. III.	......do	......do	Do.
Mississippi Chem. Corp. Fertilizer Plant No. 1.	......do	APC-S-1, Sec. III.	......do	......do	Sept. 1, 1973.
Mississippi Chem. Corp. Fertilizer Plant No. 2.	......do	APC-S-1, Sec. III.	......do	......do	Do.
Moss-American, Inc	......do	APC-S-1, Sec. III.	......do	......do	May 17, 1974.
F. G. Riley Memorial Hospital	......do	APC-S-1, Sec. III.	......do	......do	Do.
Russell Aluminum Corp	......do	APC-S-1, Sec. III.	......do	......do	Do.
Atlas Roofing Co	......do	APC-S-1	Dec. 18, 1974	......do	Oct. 30, 1974.
Sam Finley, Inc	......do	APC-S-1	......do	......do	Aug. 15, 1974.
Meywebb Hosiery Mill	......do	APC-S-1	......do	......do	July 31, 1975.
Meridian Woodworking, Inc	......do	APC-S-1	Feb. 28, 1974	......do	May 15, 1974.
Cities Service Oil Co	Sumrall	APC-S-1	June 4, 1973	......do	Oct. 9, 1974.
J. B. Gunn, Jr	......do	APC-S-1	......do	......do	Do.
Meridian Moulding, Inc	......do	APC-S-1	......do	......do	Do.
General Box Co	......do	APC-S-1	......do	......do	Sept. 12, 1974.
Lauderdale County Co-op	......do	APC-S-1	......do	......do	Sept. 13, 1974.
J. R. Savage Co	......do	APC-S-1	......do	......do	Oct. 30, 1974.
Miami Window Division, Russell Alum. Corp.	......do	APC-S-1	......do	......do	Sept. 21, 1974.
Paul O'Leary Lumber Co	Toomsuba	APC-S-1	......do	......do	Do.
Owen Bros. Packing Co	Meridian	APC-S-1	......do	......do	Do.
Sanders Lumber Co	......do	APC-S-1	......do	......do	Do.
Scruggs Sawmill	......do	APC-S-1	......do	......do	Sept. 22, 1974.
Soule Steam Feed Works	......do	APC-S-1	......do	......do	Sept. 23, 1974.
Tuscaloosa Veneer	......do	APC-S-1	......do	......do	Do.
Winn-Dixie (22d St.)	......do	APC-S-1	......do	......do	Do.
Meridian Concrete & Materials	......do	APC-S-1	......do	......do	Dec. 15, 1973.
Ready Mix Concrete Co	Kewanee	APC-S-1	......do	......do	Jan. 1, 1974.
Do	Lockhart	APC-S-1	......do	......do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Do	Meridian	APC–S–1	do	do	Do.
LAWRENCE COUNTY					
St. Regis Paper Co. (recovery boilers No. 1 and No. 2 particulates).	Monticello	APC–S–1	Dec. 16, 1974	Immediately	Apr. 30, 1975.
Lawrence County Hospital	do	APC–S–1	June 4, 1973	do	Aug. 15, 1974.
Rutland Gin	Jayess	APC–S–1	do	do	Dec. 1, 1974.
Sam Finley	Silvercreek	APC–S–1	do	do	Aug. 15, 1974.
Gulf Fibre Products Co	Monticello	APC–S–1	do	do	Sept. 23, 1974.
Kellwood Co	do	APC–S–1	do	do	Do.
South Central Ready Mix, Inc	do	APC–S–1	do	do	Do.
St. Regis Paper Co. (Combination Boiler).	do	APC–S–1	Immediately	do	Aug. 1, 1974.
St. Regis Paper Co. (Recovery Boilers No. 1 and No. 2 TRS).	do	APC–S–1	do	do	Jan. 1, 1975.
St. Regis Paper Co. (Noncondensible Gas System TRS).	do	APC–S–1	do	do	Mar. 1, 1975.
LEAKE COUNTY					
W. C. Croft Lumber Co., Inc	Walnut Grove	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Leake Co. Memorial Hospital	Carthage	APC–S–1, Sec. III.	do	do	Do.
Merchant Gin	do	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Sanders & Gross Cotton Gin	do	APC–S–1, Sec. III.	do	do	Do.
Thaggard Hospital Inc	Madden	APC–S–1, Sec. III.	do	do	May 17, 1974.
Leake County Milling Co., Inc	Carthage	APC–S–1	Dec. 16, 1974	do	Sept. 23, 1974.
Henderson South Manufacturing Co.	do	APC–S–1	June 4, 1973	do	Do.
Leake County Milling Co., Inc	do	APC–S–1	do	do	Do.
M & C Creosote	do	APC–S–1	do	do	Do.
Monroe Allen Contractor	do	APC–S–1	do	do	Do.
LEE COUNTY					
Baldwyn Gin Co	Baldwyn	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
C & F Contracting	Tupelo	APC–S–1, Sec. III.	do	do	May 17, 1974.
Eljer Plumbingware Division	do	APC–S–1, Sec. III.	do	do	Do.
Frankstown Gin Co	Baldwyn	APC–S–1, Sec. III.	do	do	Do.
Johnson Gin Co	do	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Long Bros. Gin	Blue Springs	APC–S–1, Sec. III.	do	do	May 17, 1974.
Town & Country Mobile Homes	Verona	APC–S–1, Sec. III.	do	do	Do.
Tri-County Gin Co	Tupelo	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Tupelo Mfg. Co., Inc	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
Wesson Bros. Gin Co	Saltillo	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Pavette Asphalt Co	Tupelo	APC–S–1	Feb. 28, 1974	do	Do.
Tupelo Manufacturing Co	do	APC–S–1	Dec. 16, 1974	do	Dec. 15, 1974.
Anderson Mfg. Co	do	APC–S–1	June 4, 1973	do	Sept. 23, 1974.
B & B Concrete Co., Inc	do	APC–S–1	do	do	Do.
Barber Pure Milk Co	do	APC–S–1	do	do	Sept. 26, 1974.
Blackman Machine & Tool Co	do	APC–S–1	do	do	Do.
Blue Bell, Inc	do	APC–S–1	do	do	Do.
C. B. Hale Sawmill	Baldwin	APC–S–1	do	do	Do.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Decus Drug Co	Tupelo	APC-S-1	do	do	Do.
Day-Brite Lighting	do	APC-S-1	do	do	Do.
Denny Lumber Co	do	APC-S-1	do	do	Do.
Fashion Furniture, Inc	do	APC-S-1	do	do	Do.
Futorian Corp.—Tupelo Decorian Division.	do	APC-S-1	do	do	Do.
Hickory Springs Manufacturing of Arkansas.	do	APC-S-1	do	do	Do.
International Minerals & Chemicals.	do	APC-S-1	do	do	Do.
Kent's Store	do	APC-S-1	do	do	Do.
Mid-South Packers	do	APC-S-1	do	do	Do.
Newth Morris Box Co	do	APC-S-1	do	do	Do.
National Springs Corp. of Mississippi.	do	APC-S-1	do	do	Do.
Planters Lumber Co	do	APC-S-1	do	do	Do.
Prath Lumber Co	Plantersville	APC-S-1	do	do	Do.
Riverside Chemical Co. (Seed Cleaning Facility).	Tupelo	APC-S-1	do	do	Do.
Riverside Chemical Co. (Grain Elevator).	do	APC-S-1	do	do	Do.
Sadler Manufacturing Co	do	APC-S-1	do	do	Do.
S.A.R. Manufacturing Co	do	APC-S-1	do	do	Do.
Scarsdale Quilting	do	APC-S-1	do	do	Do.
Senters Transit Mix, Inc	do	APC-S-1	do	do	Do.
Sheller Globe Corp	do	APC-S-1	do	do	Do.
South-Aire, Inc., of Mississippi	do	APC-S-1	do	do	Do.
Southern Imperial, Inc	do	APC-S-1	do	do	Do.
Super Sagless, Spring Corp	do	APC-S-1	do	do	Do.
Triangle Manufacturing	do	APC-S-1	do	do	Do.
Tupelo Brick & Tile Co	do	APC-S-1	do	do	Do.
Tupelo Marble Works	do	APC-S-1	do	do	Do.
Tupelo Scrap & Steel Co	do	APC-S-1	do	do	Do.
United Cement Co	do	APC-S-1	do	do	Do.
W & S Milling & Molasses Co	do	APC-S-1	do	do	Do.
Walled Lake Door Co	do	APC-S-1	do	do	Do.
LEFLORE COUNTY					
Blue Top Gin	Itta Bena	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Buckhorn Gin	Greenwood	APC-S-1, Sec. III.	do	do	Do.
Bunch Concrete & Engineering	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Cane Lake Gin Co., Inc	Ruleville	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Community Gin Co., Inc	Swiftown	APC-S-1, Sec. III.	do	do	Do.
Congo Gin	Schlater	APC-S-1, Sec. III.	do	do	Do
Cooperative Elevator Co	Greenwood	APC-S-1, Sec. III.	do	do	May 17, 1974.
Crossroads Gin Co	Schlater	APC-S-1, Sec. III.	do	do	July 1, 1975.
Deermound Gin	Minter City	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Farmers Associated Gin Co	Itta Bena	APC-S-1, Sec. III.	do	do	Do.
Freeman Electric Gin Co	Greenwood	APC-S-1, Sec. III.	do	do	Do.
Gibson Products Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Greenwood-Leflore Hospital	do	APC-S-1, Sec. III.	do	do	Do.
Half-Mile Gin	Itta Bena	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Itta Bena Gin Co	do	APC-S-1, Sec. III.	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Jenkins Gin Co., Inc	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
W. P. Kimbrough & Son	do	APC-S-1, Sec. III.	do	do	July 1, 1975.
Laco Gin Co	Sidon	APC-S-1, Sec. III.	do	do	Do.
McLean Gin Co	Itta Bena	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Minter Gin Co	Minter City	APC-S-1, Sec. III.	do	do	July 1, 1975.
Money Gin Co	Money	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Morgan Gin Co	Morgan City	APC-S-1, Sec. III.	do	do	Jan. 1, 1975.
Pemberton Manor Nursing Home	Greenwood	APC-S-1, Sec. III.	do	do	May 17, 1974.
Schlater Gin Co., Inc	Schlater	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Sheppard Town Gin Co	Morgan City	APC-S-1, Sec. III.	do	do	Mar. 1, 1974.
Sidon Plantation Gin	Sidon	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Staple Cotton Services Association.	Greenwood	APC-S-1, Sec. III.	do	do	May 17, 1974.
L. W. Wade Plantation Gin	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
L. L. Walker & Son Gin	Schlater	APC-S-1, Sec. III.	do	do	Do.
Wildwood Plantation Gin	Greenwood	APC-S-1, Sec. III.	do	do	June 1, 1974.
Willow Run Gin Co	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Farmers Gin of Greenwood	do	APC-S-1	Feb. 28, 1974	do	Do.
J. J. Ferguson Ready Mix	do	APC-S-1	June 4, 1973	do	Sept. 23, 1974.
Greenwood Asphalt Co	do	APC-S-1	do	do	Do.
Midway Gin Co	Glendora	APC-S-1	do	do	Dec. 1, 1974.
Mississippi Cottonseed Products Co.	Greenwood	APC-S-1	do	do	Sept. 23, 1974.
National Art Co	do	APC-S-1	do	do	Do.
Race Track Plantation Co., Inc	do	APC-S-1	do	do	Dec. 1, 1974.
Yazoo Valley Oil Mill	do	APC-S-1	do	do	Sept. 23, 1974.
LINCOLN COUNTY					
Brookhaven Piling Co	Brookhaven	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Columbus Lumber Co	do	APC-S-1, Sec. III.	do	do	Do.
Dickerson & Bowen	do	APC-S-1, Sec. III.	do	do	Do.
J. J. Mayer Lumber Co	Bogue Chitto	APC-S-1, Sec. III.	do	do	Do.
Shainberg's	Brookhaven	APC-S-1, Sec. III.	do	do	Do.
Smith Bros. Lumber Co., Inc	do	APC-S-1, Sec. III.	do	do	Do.
Winn-Dixie	do	APC-S-1, Sec. III.	do	do	Do.
Boise Cascade Corp	do	APC-S-1	June 4, 1973	do	Sept. 23, 1974.
Ingle Sawmill	do	APC-S-1	do	do	Do.
Keystone Seneca Wire Cloth Co	do	APC-S-1	do	do	Do.
Linwood Gin Co	Vaughn	APC-S-1	do	do	Dec. 1, 1974.
Lincoln Ready Mix Concrete	Brookhaven	APC-S-1	do	do	Oct. 24, 1974.
Southwest Paving	do	APC-S-1	do	do	Oct. 20, 1974.
LOWNDES COUNTY					
Airline Mfg. Co	Columbus	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Artesia Gin	Artesia	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
F. B. Blaylock & Son	Calendonia	APC-S-1, Sec. III.	do	do	Do.
Columbus Air Force Base Hospital	Columbus	APC-S-1, Sec. III.	do	do	May 17, 1974.
Columbus Handle Co	do	APC-S-1, Sec. III.	Feb. 23, 1973	do	Do.
The Columbus Hospital Inc	do	APC-S-1, Sec. III.	do	do	Do.
Columbus Marble Works	do	APC-S-1, Sec. III.	do	do	Do.
A. G. Lockhart Gin	Steens	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Moss-American, Inc	Columbus	APC-S-1, Sec. III.	do	do	May 17, 1974.
Phillips Contracting Co	do	APC-S-1, Sec. III.	do	do	Do.
Potts Gin	Crawford	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Sims Gin	Columbus	APC-S-1, Sec. III.	do	do	Do.
Hooker Chemical Co	do	APC-S-1, Sec. III.	Dec. 16, 1974	do	Mar. 1, 1975.
Johnston Tombigbee Furniture Co. (Woodworking plant).	do	APC-S-1	do	do	July 31, 1975.
(Tee Pee Burners)	do	APC-S-1	do	do	Do.
Columbus Brick Co	do	APC-S-1	June 4, 1973	do	Sept. 23, 1974.
Columbus Plastics, Inc	do	APC-S-1	do	do	Do.
Davis Lumber Co	do	APC-S-1	do	do	Do.
General Tire & Rubber Co	do	APC-S-1	do	do	Do.
U.S. Borax and Chemical Corp	do	APC-S-1	do	do	Do.
Winn-Dixie Montgomery	do	APC-S-1	do	do	Do.
MADISON COUNTY					
Dickson Treating Co	Canton	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Madison Co. Co-op Gin	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Madison Furniture Industries	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Madison General Hospital	do	APC-S-1, Sec. III.	do	do	Do.
Mansell Gin	Pickens	APC-S-1, Sec. III.	do	do	Do.
Milcraft Products Inc	Canton	APC-S-1, Sec. III.	do	do	Do.
Mississippi Bandag, Inc	Ridgeland	APC-S-1, Sec. III.	do	do	Do.
Mississippi Chemical Corp	Canton	APC-S-1, Sec. III.	do	do	Sept. 1, 1973.
New Paragon Gin	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Oil Mill Gin	do	APC-S-1, Sec. III.	do	do	Do.
Oil Mill Gin No. 2	do	APC-S-1, Sec. III.	do	do	Do.
Burtonic Plastics	Ridgeland	APC-S-1	June 4, 1973	do	Sept. 27, 1974.
Canton Casket Co	Canton	APC-S-1	do	do	Do.
Canton Plating Co	do	APC-S-1	do	do	Do.
Canton Poultry Co	do	APC-S-1	do	do	Do.
College Suppliers	Ridgeland	APC-S-1	do	do	Do.
Gilbert & Ryan, Inc	Canton	APC-S-1	do	do	Do.
Ridgeland Seed & Feed, Inc	Ridgeland	APC-S-1	do	do	Do.
Riverside Chemical Co. (Dry Fertilizer Blending).	Canton	APC-S-1	do	do	Do.
Riverside Chemical Co. (Liquid Insecticide Blending).	do	APC-S-1	do	do	Do.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
St. Charles Tool & Die Co., Inc	Flora	APC-S-1	do	do	Do
Supreme Milk Co	Canton	APC-S-1	do	do	Do
Tougaloo College	Tougaloo	APC-S-1	do	do	Do
Trawick Construction of Canton	Canton	APC-S-1	do	do	Do
MARION COUNTY					
Columbia Pulp & Paper Co	Columbia	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Jack Forbes Lumber Co	Sandy Hook	APC-S-1, Sec. III.	do	do	Do.
W. F. Foxworth & Son Sawmill	Foxworth	APC-S-1, Sec. III.	do	do	Do.
Georgia Pacific	Columbia	APC-S-1, Sec. III.	do	do	Do.
King Gin Co	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Marion Co. General Hospital	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Rogers Lumber Corp	do	APC-S-1, Sec. III.	do	do	Do.
Piggly Wiggly Food Store	do	APC-S-1	Feb. 28, 1974	do	Aug. 20, 1974.
Marion County General Hospital	do	APC-S-1	do	do	Nov. 17, 1974.
Breland Ready-Mix & Sup-ply Co.	do	APC-S-1	June 4, 1973	do	Sept. 23, 1974.
Pope Tire Service	do	APC-S-1	do	do	Do.
MARSHALL COUNTY					
Byhalia Gin Co	Byhalia	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Cuffawa Gin Co	Holly Springs	APC-S-1, Sec. III.	do	do	Do.
Farmers Gin Co	Potts Camp	APC-S-1, Sec III.	do	do	Do.
Mrs. J. C. Hurdle Gin	Mt. Pleasant	APC-S-1, Sec. III.	do	do	Do.
Marshall Co. Gin Co	Holly Springs	APC-S-1, Sec. III.	do	do	Do.
Marshall County Hospital	do	APC-S-1, Sec. III.	do	do	Do.
Memphis Hardwood Flooring Co	Potts Camp	APC-S-1, Sec III.	do	do	Feb. 19, 1974.
North Mississippi Gin Co., Inc	Holly Springs	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Red Banks Gin Co., Inc	Red Banks	APC-S-1, Sec. III.	do	do	Do.
Victoria Gin Co	Victoria	APC-S-1, Sec. III.	do	do	Do.
Waterford Gin Co	Waterford	APC-S-1, Sec. III.	do	do	Do.
Watson Gin Co	Byhalia	APC-S-1, Sec. III.	do	do	Do.
Deluxe Products	Holly Springs	APC-S-1	June 4, 1973	do	Sept. 23, 1974.
Holly Springs Brick & Title Co., Inc.	do	APC-S-1	do	do	Do.
ITT Thompson Industries, Inc	do	APC-S-1	do	do	Do.
Occidental Chemical Co	Byhalia	APC-S-1	do	do	Do.
The Wurlitzer Co	Holly Springs	APC-S-1	do	do	Do.
Coated Abrasive Co	do	APC-S-1	do	do	Aug. 15, 1974.
MONROE COUNTY					
Aberdeen Gin Co., Inc	Aberdeen	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Aberdeen-Monroe Co., Hospital	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Beth Manufacturing Inc	Becker	APC-S-1, Sec. III.	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
J. T. Brand Gin Co	Prairie	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
C & F Contracting Co., Inc	Amory	APC-S-1, Sec. III.	do	do	May 17, 1974.
Sam Fredericks Sawmill	Smithville	APC-S-1, Sec. III.	do	do	Do.
Gilmore Memorial Hospital	Amory	APC-S-1, Sec. III.	do	do	Do.
Hamilton Electric Gin	Hamilton	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Kerr-McGee Chemical Corp., NaC10$_3$ plant.	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Kerr-McGee Chemical Corp., Mn plant.	do	APC-S-1, Sec. III.	do	do	Do.
New Hamilton Gin	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Parham Gin Co	Amory	APC-S-1, Sec. III.	do	do	Do.
Walker Mfg. Co	Aberdeen	APC-S-1, Sec. III.	do	do	May 17, 1974.
Gilmore-Puckett Lumber Co	Amory	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Bunge Corp	Nettleton	APC-S-1	do	do	Do.
Amory Cotton Oil Co	Amory	APC-S-1	do	do	Jan. 1, 1975.
Allied Chemical Corp	Aberdeen	APC-S-1	June 4, 1973	do	Sept. 27, 1974.
American Colloid Co	do	APC-S-1	do	do	Do.
Comer Packing Co	do	APC-S-1	do	do	Do.
Conoco Chemical	do	APC-S-1	do	do	Do.
Cramco Division	Amory	APC-S-1	do	do	Do.
Morris Ready-Mix	Aberdeen	APC-S-1	do	do	Do.
Palmer Construction Co	Amory	APC-S-1	do	do	Do.
Monroe Cotton Oil Co	Aberdeen	APC-S-1	do	do	Dec. 1, 1974.
Burris Ind	Prairie	APC-S-1	do	do	Aug. 20, 1974.
Farmers Gin, Inc	Hamilton	APC-S-1	Feb. 27, 1973	do	July 1, 1975.
MONTGOMERY COUNTY					
Tyler Holmes Memorial Hospital	Winona	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Kilmichael Hospital	Kilmichael	APC-S-1, Sec. III.	do	do	Do.
Land & Lott Gin	Winona	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
J. A. Olson Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Anel Engineering Industries	Winona	APC-S-1	June 4, 1973	do	Sept. 27, 1974.
Davidson Marble & Granite Works.	do	APC-S-1	do	do	Do.
Ferguson Concrete Co	do	APC-S-1	do	do	Do.
Independent Linen Co	do	APC-S-1	do	do	Do.
Lee Kirk Gin	Duck Hill	APC-S-1	do	do	Dec. 1, 1974.
Leicon, Inc	Winona	APC-S-1	do	do	Sept. 27, 1974.
McRee Egg Farm	Kilmichael	APC-S-1	do	do	Do.
Williams Wood Products, Inc	Duck Hill	APC-S-1	do	do	Do.
Winona Handle Co	Winona	APC-S-1	do	do	Do.
Herring Bros. Gin	Kilmichael	APC-S-1	do	do	Sept. 2, 1973.
Weyerhaeuser Co. (Hardwood Dimension Mill).	do	APC-S-1	do	do	Oct. 20, 1974.
Weyerhaeuser Co. (Sawmill)	do	APC-S-1	do	do	Do.
Weyerhaeuser Co. (Tee Pee Burner).	do	APC-S-1	do	do	Do.
C & C Co., A Joint Venture	do	APC-S-1	do	do	Sept. 28, 1974.
Riverside Chemical Co. (Animal Feed Manufacturing).	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Bulk Fertilizer Blending).	do	APC-S-1	do	do	Do.
Riverside of Philadelphia Gin	do	APC-S-1	do	do	Dec. 1, 1974.
Cooper Williams Gin Co	do	APC-S-1	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
NEWTON COUNTY					
Newton Hospital	Newton	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
La-z-Boy South	do	APC–S–1	Dec. 16, 1974	do	July 31, 1975.
Prath Lumber Co	Union	APC–S–1	June 4, 1973	do	Sept. 28, 1974.
S. E. Welsh Lumber Co	do	APC–S–1	do	do	Do.
James Willis Sawmill	Newton	APC–S–1	do	do	Do.
Monroe Allen Contractor	do	APC–S–1	do	do	Oct. 9, 1974.
Koppers Co	Hickory	APC–S–1	do	do	Aug. 21, 1974.
NOXUBEE COUNTY					
Brick Gin	Macon	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Delta-Macon Brick & Tile Co	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
Dinsmore's Gin	Prairie Point	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Atlas Brick Co	Shuqualak	APC–S–1	Dec. 16, 1974	do	Dec. 15, 1974.
Sam Finley, Inc	do	APC–S–1	June 4, 1973	do	Sept. 28, 1974.
Woody Jones Creosote Plant	Macon	APC–S–1	do	do	Do.
MFC Services Pearl Plant	do	APC–S–1	do	do	Do.
R. E. Prince Lumber Co	Shuqualak	APC–S–1	do	do	Do.
T. L. James & Co	Macon	APC–S–1	do	do	Oct. 20, 1974
Black Belt Gin	Brooksville	APC–S–1	do	do	Dec. 1, 1974.
Valley Farm Gin	Bigbee Valley	APC–S–1	do	do	Oct. 31, 1974.
E. F. Nunn & Co	Shuqualak	APC–S–1	do	do	Dec. 1, 1974.
OKTIBBEHA COUNTY					
Howard Furniture Mfg. Co., Inc	Starkville	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Humphrey Gin Co	Ebenezer	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Felix Long Memorial Hospital	Starkville	APC–S–1, Sec. III.	do	do	May 17, 1974.
Howard Furniture Manufacturing Co., Inc.	do	APC–S–1	Dec. 16, 1974	do	Apr. 1, 1975.
Montgomery Bros	Longview	APC–S–1	June 4, 1973	do	Sept. 29, 1974.
Perkins Feed Mill	Maben	APC–S–1	do	do	Do.
R & S Sawmill	do	APC–S–1	do	do	Do.
Riverside Chemical Co. (Animal Feed Manufacturing Plant)	Starkville	APC–S–1	do	do	Do.
Riverside Chemical Co. (Bulk Fertilizer Manufacturing).	do	APC–S–1	do	do	Do.
Riverside Chemical Co. (Grain Elevator).	do	APC–S–1	do	do	Do.
Riverside Feed Mills, Inc	do	APC–S–1	do	do	Do.
Shuffield Gin	Maben	APC–S–1	do	do	Dec. 1, 1974.
Patch Concrete Service, Inc	do	APC–S–1	do	do	Sept. 28, 1974.
Atlas Ready-Mix Concrete, Inc	Starkville	APC–S–1	do	do	Do.
Beattie Feed Mill	do	APC–S–1	do	do	Do.
Briarwood Lamps, Inc	do	APC–S–1	do	do	Do.
Carborundum Co	do	APC–S–1	do	do	Do.
Waymond Fondren Sawmill	Maben	APC–S–1	do	do	Do.
J. G. Hendricks Sawmill	do	APC–S–1	do	do	Do.
C. G. McBride Sawmill	do	APC–S–1	do	do	Sept. 29, 1974.
The Monte Glove Co	do	APC–S–1	do	do	Sept. 28, 1974.
Herschede Hall Clock Co	Starkville	APC–S–1	do	do	June 30, 1974.
PANOLA COUNTY					
Batesville Gin Co	Batesville	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Batesville Hospital	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
Crenshaw Planters Gin Co	Crenshaw	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Crowder Gin Co	Crowder	APC-S-1, Sec. III.	do	do	Do.
Curtis Gin & Grain Co	Batesville	APC-S-1, Sec. III.	do	do	Do.
Dixie Gin Co	do	APC-S-1, Sec. III.	do	do	Do.
North Panola County Hospital	Sardis	APC-S-1, Sec. III.	do	do	May 17, 1974.
Owen Gin Co	Crowder	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Phoenix Gin	Como	APC-S-1, Sec. III.	do	do	Do.
Pratt Gin Co	Pope	APC-S-1, Sec. III.	do	do	Do.
Sardis Gin & Mfg. Co	Sardis	APC-S-1, Sec. III.	do	do	Do.
Sardis Luggage—Roper Corp	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Smith Gin Co	Batesville	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Yount Lumber Co	Askew	APC-S-1, Sec. III.	do	do	May 17, 1974.
Breedlove Manufacturing Co	Batesville	APC-S-1	June 4, 1973	do	Sept. 30, 1974.
Crenshaw Oil Co., Inc	Crenshaw	APC-S-1	do	do	Do.
New Deal Gin	Como	APC-S-1	do	do	Dec. 1, 1974.
Modern Gin Co. of Como	do	APC-S-1	do	do	Do.
Dunlap & Kyle Co., Inc	Batesville	APC-S-1	do	do	July 1, 1974.
Self's Bobo Gin, Inc	Marks	APC-S-1	Feb. 27, 1973	do	July 31, 1975.
PEARL RIVER COUNTY					
Crosby Chemical, Inc	Picayune	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
L. O. Crosby Hospital	do	APC-S-1, Sec. III.	do	do	Do.
Chloride C.P. Co	do	APC-S-1	June 4, 1973	do	Sept. 30, 1974.
Crosby Wood Preserving Co	do	APC-S-1	do	do	Do.
Ingram Ind., Inc	do	APC-S-1	do	do	Do.
Interpine Lumber Co	do	APC-S-1	do	do	Do.
Lossett's Welding & Machine Works Inc.	do	APC-S-1	do	do	Do.
McNeill Hardwood Co	McNeill	APC-S-1	do	do	Do.
Neco Electrical Products Corp	Picayune	APC-S-1	do	do	Do.
Pearl River County Hospital	Poplarville	APC-S-1	do	do	Do.
Picayune Concrete Co	Picayune	APC-S-1	do	do	Do.
Poplarville Manufacturing Co	Poplarville	APC-S-1	do	do	Do.
Standard Container Co	Picayune	APC-S-1	do	do	Do.
Stewart Dura-Vann, Inc	do	APC-S-1	do	do	Do.
SMECO Steward Machine & Engineer Inc.	Picayune	APC-S-1	do	do	Do.
L. J. Thigpen Feed Co., Inc	Poplarville	APC-S-1	do	do	Do.
Wesley Fertilizer Plant, Inc	do	APC-S-1	do	do	Do.
Farmers Warehouse of Picayune, Inc.	Picayune	APC-S-1	do	do	Oct. 24, 1974.
T. L. James & Co., Inc	Crossroads	APC-S-1	do	do	Aug. 15, 1974.
PERRY COUNTY					
Cooper Lumber Co	Richton	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Delta Pine Plywood Corp	Beaumont	APC-S-1, Sec. III.	do	do	Mar. 14, 1974.
Perry County General Hospital	Richton	APC-S-1, Sec. III.	do	do	May 17, 1974.
Perry County Plywood Corp	Beaumont	APC-S-1, Sec. III.	do	do	Do.
Hilton Jones Sawmill	Richton	APC-S-1	June 4, 1973	do	Sept. 30, 1974.
Joslyn Mfg. & Supply Co	do	APC-S-1	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
PIKE COUNTY					
American Box Co	Fernwood	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Collinswood Process	McComb	APC-S-1, Sec. III.	do	do	Do.
Great Southern Wireboard Box Co.	Magnolia	APC-S-1, Sec. III.	do	do	Do.
M. D. Hayles Lumber Co	Fernwood	APC-S-1, Sec. III.	do	do	Do.
McComb City Hospital Association.	McComb	APC-S-1, Sec. III.	do	do	Do.
Roses Department Store	do	APC-S-1	Dec. 18, 1974	do	July 31, 1975.
Beecham Memorial Hospital	Magnolia	APC-S-1	June 4, 1973	do	Sept. 30, 1974.
Kent's Store	McComb	APC-S-1	do	do	Do.
Lamb Lumber Co	Summit	APC-S-1	do	do	Do.
Lee's Milling Co	Osyka	APC-S-1	do	do	Do.
Ole Hickory Sausage Plant	McComb	APC-S-1	do	do	Oct. 1, 1974.
Maco Coffee & Candy Co	do	APC-S-1	do	do	Do.
D. G. Seago & Son Lumber Co	Summit	APC-S-1	do	do	Oct. 30, 1974.
W. G. Sellers Lumber Co	McComb	APC-S-1	do	do	Oct. 1, 1974.
Sun Oil Co	do	APC-S-1	do	do	Do.
Southwest Mississippi Junior College.	Summit	APC-S-1	do	do	Oct. 23, 1974.
Fernwood Industries	Fernwood	APC-S-1	do	do	Sept. 30, 1974.
PONTOTOC COUNTY					
Ferguson Sawmill Inc	Bruce	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
T. J. Hale Gin Co	Pontotoc	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Joyner-Fields Inc	Sherman	APC-S-1, Sec. III.	do	do	Do.
Mississippi Eaton Corp	Pontotoc	APC-S-1, Sec. III.	do	do	Do.
Pontotoc Community Hospital	do	APC-S-1, Sec. III.	do	do	Do.
Randolph Electric Gin Co	Randolph	APC-S-1, Sec. III.	Feb. 23, 1973	do	Dec. 1, 1974.
Riverside of Pontotoc Ecru Gin	Pontotoc	APC-S-1, Sec. III.	do	do	Do.
Riverside of Pontotoc Pontotoc Gin.	do	APC-S-1, Sec. III.	do	do	Do.
Riverside of Pontotoc Toctopola Gin.	do	APC-S-1, Sec. III.	do	do	Do.
Riverside of Pontotoc Zion Gin	do	APC-S-1, Sec. III.	do	do	Do.
Brookwood Furniture	do	APC-S-1	June 4, 1973	do	Oct. 1, 1974.
Keystone Metal Moulding	do	APC-S-1	do	do	Oct. 3, 1974.
Minn-Conn Zion Gin	do	APC-S-1	do	do	Dec. 1, 1974.
Minn-Conn Ecru Gin	Ecru	APC-S-1	do	do	Do.
Ram Golf Corp	Pontotoc	APC-S-1	do	do	Oct. 3, 1974.
Sneed's Farm Supply Milling Co., Inc.	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Liquid Fertilizer Blending).	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Grain Elevator).	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Dry Fertilizer Blending).	do	APC-S-1	do	do	Do.
Bankhead Lumber Co	do	APC-S-1	do	do	Oct. 1, 1974.
PRENTISS COUNTY					
Booneville Gin Co., Inc	Booneville	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Frankstown Gin Co	Baldwyn	APC-S-1, Sec. III.	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Hobo Gin Co	Booneville	APC-S-1, Sec. III.	do	do	Do.
Marietta Gin Co	Marietta	APC-S-1, Sec. III.	do	do	June 1, 1975.
Northeast Mississippi Hospital	Booneville	APC-S-1, Sec. III.	do	do	May 17, 1974.
Gaines Manufacturing Co	do	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Booneville Grain Co	do	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Jordan Ind., Inc	do	APC-S-1	do	do	Do.
Jumpertown Gin	do	APC-S-1	do	do	Do.
S & J Ready-Mix	do	APC-S-1	do	do	Do.
South Central Plastics, Inc	do	APC-S-1	do	do	Do.
Walden Sawmill	do	APC-S-1	do	do	Do.
Cole Sawmill	do	APC-S-1	do	do	Oct. 4, 1974.
QUITMAN COUNTY					
Birdie Gin Co	Darling	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Riverside Industries Inc	Marks	APC-S-1, Sec. III.	do	do	Jan. 1, 1974.
Walnut Gin Co	Vance	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Yandell Bros. Gin Co	do	APC-S-1, Sec. III.	do	do	July 1, 1975.
Kentucky-Tennessee Clay Co	Crenshaw	APC-S-1	Dec. 16, 1974	do	Mar. 7, 1975.
Sabino Gin Co	Lambert	APC-S-1	June 4, 1973	do	Dec. 1, 1974.
Peoples Gin Co., Inc	Darling	APC-S-1	do	do	Do.
Peoples Gin Co	Lambert	APC-S-1	do	do	Do.
Owens Gin Co	Clarksdale	APC-S-1	do	do	Do.
North Gin Co	Lambert	APC-S-1	do	do	Do.
Planter's Gin Co. at Crenshaw	Crenshaw	APC-S-1	do	do	Do.
DelMar Plantation Gin	Marks	APC-S-1	do	do	Do.
Valley Gin, Inc	do	APC-S-1	do	do	July 17, 1975.
Self and Company Certified Gin	do	APC-S-1	do	do	Do.
Self's Belen Gin	do	APC-S-1	do	do	Do.
Self's Farmer's Gin	do	APC-S-1	do	do	Do.
RANKIN COUNTY					
Bob's Enterprises, Inc., Star Grocery No. 2	Jackson	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Cataphote Corp	do	APC-S-1, Sec. III.	do	do	Feb. 1, 1974.
Fennin Gin	Brandon	APC-S-1, Sec. III.	do	do	Do.
Kennedy Sawmill Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Klean Steel Mfg. Corp	Jackson	APC-S-1, Sec. III.	do	do	May 1, 1973.
O'Neal Steel Inc	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Piggly Wiggly Supermarket	Brandon	APC-S-1, Sec. III.	do	do	Apr. 17, 1974.
Rankin Co. Processing Com	Jackson	APC-S-1, Sec. III.	do	do	May 17, 1974.
Sandhill Gin Inc	Sandhill	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Star Super Market No. 4	Plain	APC-S-1, Sec. III.	do	do	May 17, 1974.
Sunflower Food Store No. 57	Pearl	APC-S-1, Sec. III.	do	do	Do.
Brooks C. Vance Sawmill	Sand Hill	APC-S-1, Sec. III.	do	do	Do.
Cataphote Corporation Division of Ferro Corp.	Flowood	APC-S-1	Dec. 16, 1974	do	June 1, 1975.
Aztec Industries, Inc	Plain	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Beard Ready Mix, Inc	Pelahatchie	APC-S-1	do	do	Do.
Contract Manufacturing, Inc	Florence	APC-S-1	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Davis Feed Mill	Pelahatchie	APC-S-1	do	do	Do
Glass Container Corp	Flowood	APC-S-1	do	do	Do
Jackson Oil Prod	Jackson	APC-S-1	do	do	Do
Kent's Department Store	do	APC-S-1	do	do	Do
Mississippi Steel Division, Magna Corp.	do	APC-S-1	do	do	Do
Mosaic Tile Co	Flowood	APC-S-1	do	do	Do
Pelahatchie Poultry Co	Pelahatchie	APC-S-1	do	do	Do
Polk Concrete Products, Inc	Jackson	APC-S-1	do	do	Do
Star Market, Pearson Rd	do	APC-S-1	do	do	Do
International Paper Co	Brandon	APC-S-1	do	do	Dec. 1, 1973
Mississippi Materials Co	Jackson	APC-S-1	do	do	Mar. 1, 1975.
SCOTT COUNTY					
W. E. Blain & Sons, Inc	Forest	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974
Cochran & Myers Gin	Harperville	APC-S-1, Sec. III.	do	do	Dec. 1, 1974
Gatewood Gin	Forest	APC-S-1, Sec. III.	do	do	Do.
S. E. Lackey Memorial Hospital	do	APC-S-1, Sec. III.	do	do	May 17, 1974
W. J. Measels & Sons Cotton Gin.	Morton	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Scott Co. Grain Elevator Inc	Sebastopol	APC-S-1, Sec. III.	do	do	May 17, 1974
Austin Road Co	Forest	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Canton Milling, Inc	Morton	APC-S-1	do	do	Do
Forest Packing Company, Inc	Forest	APC-S-1	do	do	Do
Hankins & Eubanks Lumber Co	Lake	APC-S-1	do	do	Do.
King Lumber Co	Forest	APC-S-1	do	do	Do.
Little Princess Foods	do	APC-S-1	do	do	Do.
B. C. Rogers & Sons (Chicken Processing Plant).	Morton	APC-S-1	do	do	Do
B. C. Rogers & Sons (Feed Mill)	do	APC-S-1	do	do	Do
Southeastern Poultry	Forest	APC-S-1	do	do	Do
M. L. Stewart Lumber Co	Morton	APC-S-1	do	do	Do
Sunbeam Corp	Forest	APC-S-1	do	do	Do
Talon Division of Textron	Morton	APC-S-1	do	do	Do
Warren Bros	Forest	APC-S-1	do	do	Do.
J. B. Wolf Sawmill	Lake	APC-S-1	do	do	Do.
Moore Farming Co., Inc	Morton	APC-S-1	do	do	Oct. 10, 1974
SHARKEY COUNTY					
Associated Producers Gin, Inc	Rolling Fork	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Belmont Gin, Inc	Cary	APC-S-1, Sec. III.	do	do	Do
Cary Ginnery, Inc	do	APC-S-1, Sec. III.	do	do	Do
Catchings Gin Co., Inc	Delta City	APC-S-1, Sec. III.	do	do	Do
Farmers Gin Co., Inc	Anguilla	APC-S-1, Sec. III.	do	do	Do.
Grundfest & Klaus, Inc	Cary	APC-S-1, Sec. III.	do	do	Do.
Kin-Gin, Inc	Delta City	APC-S-1, Sec. III.	do	do	Do.
Panther Burn Gin Co., Inc	Panther Burn	APC-S-1, Sec. III.	do	do	Do.
Sharkey Gin, Inc	Anguilla	APC-S-1, Sec. III.	do	do	Do.
Sharkey-Issaquena Community Hospital.	Rolling Fork	APC-S-1, Sec. III.	do	do	May 17, 1974.
Vickland Gin Co., Inc	Nitta Yuma	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Associate Producers Gin, Inc., No. 2	Rolling Fork	APC-S-1	Feb. 28, 1974	do	Do.
Cameta Gin	Cameta	APC-S-1	do	do	Feb. 7, 1975.
Hands Gin	Cary	APC-S-1	June 4, 1973	do	Dec. 1, 1974.
LCR Manufacturing	Anguilla	APC-S-1	do	do	Oct. 13, 1974.
SIMPSON COUNTY					
Broadhead Lumber & Mfg. Co., Inc	Mendenhall	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Pinola Gin Co	Pinola	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Simpson General Hospital	Mendenhall	APC-S-1, Sec. III.	do	do	Do.
South Central Ready Mix, Inc	Magee	APC-S-1, Sec. III.	do	do	Do.
South Central Ready Mix, Inc	Mendenhall	APC-S-1, Sec. III.	do	do	Do.
Universal Mfg. Corp	do	APC-S-1, Sec. III.	do	do	Dec. 25, 1973.
Vanderford Lumber Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
W. E. Blain & Sons, Inc	Pinola	APC-S-1	Feb. 28, 1974	do	July 15, 1974.
C. D. Rhodes Sawmill	Braxton	APC-S-1	do	do	Nov. 9, 1974.
A. C. Quality Farms, Inc	Mendenhall	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Grubbs Poultry Market	Magee	APC-S-1	do	do	Do.
Reynolds Lumber Co	do	APC-S-1	do	do	Do.
Roach Cabinet & Millwork	do	APC-S-1	do	do	Do.
Sullivan Curing & Processing Plant	Mendenhall	APC-S-1	do	do	Do.
Super Duper Gin	Magee	APC-S-1	do	do	Dec. 1, 1974.
MFC Services	do	APC-S-1	do	do	Aug. 20, 1974.
SMITH COUNTY					
Georgia-Pacific Corp	Taylorsville	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Smith Co. General Hospital	Raleigh	APC-S-1, Sec. III.	do	do	Do.
Georgia-Pacific Corp	Taylorsville	APC-S-1	Dec. 16, 1974	do	Apr. 1, 1975.
(Particleboard plant)	do	APC-S-1	do	do	Jan. 1, 1975.
K. D. Products, Inc	Raleigh	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Lindsey Wood Co	Taylorsville	APC-S-1	do	do	Do.
T. H. Luckey Lumber	Mize	APC-S-1	do	do	Do
Pine Belt Ready-Mix Concrete	Taylorsville	APC-S-1	do	do	Oct. 1, 1974.
Raleigh Lumber Co	Raleigh	APC-S-1	do	do	Oct. 20, 1974.
Taylorsville Gin Co	Taylorsville	APC-S-1	do	do	Dec. 1, 1974.
STONE COUNTY					
Timco, Inc	Wiggins	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Breland Ready-Mix & Supply Co., Inc	do	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Hillcrest Farms	Perkinston	APC-S-1	do	do	Do.
N. E. Neely Lumber Co	Wiggins	APC-S-1	do	do	Do.
Wiggins Lumber Co	do	APC-S-1	do	do	Do.
International Paper	do	APC-S-1	do	do	Aug. 20, 1974.
McHenry Lumber Co	McHenry	APC-S-1	do	do	Oct. 13, 1974.
SUNFLOWER COUNTY					
A. E. Boyer Gin Co	Indianola	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Britt Plantation & Gin	do	APC-S-1, Sec. III.	do	do	July 31, 1975.
Brooks Gin, Inc	Drew	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Cane Lake Gin Co	Ruleville	APC-S-1, Sec. III.	do	do	Do
Delta Gin Co	do	APC-S-1, Sec. III.	do	do	July 31, 1975
Delta Gin of Inverness	Inverness	APC-S-1, Sec. III.	do	do	Dec. 1, 1974
Faisonia Plantation Gin	Indianola	APC-S-1, Sec. III.	do	do	Do
Farmers Gin Co	Doddsville	APC-S-1, Sec. III.	do	do	Do
Farmers Gin Co., Inc., No. 2	Drew	APC-S-1, Sec. III.	do	do	Do
Fisackerly Gin Co	Blaine	APC-S-1, Sec. III.	do	do	Do
Garrard Plantation Gin	Indianola	APC-S-1, Sec. III.	do	do	July 31, 1975
Holly Ridge Gin Co	Holly Ridge	APC-S-1, Sec. III.	do	do	Do
Martin Farm & Public Gin	Indianola	APC-S-1, Sec. III.	do	do	Do
Merchants & Planters Gin Co	Sunflower	APC-S-1, Sec. III.	do	do	Do
Moorhead Gin Inc	Moorhead	APC-S-1, Sec. III.	do	do	Dec. 1, 1974
Northside Gin Co	Sunflower	APC-S-1, Sec. III.	do	do	Do
Planters Gin Co. of Indianola	Indianola	APC-S-1, Sec. III.	do	do	July 31, 1975
Ruleville Gin Co., Inc	Ruleville	APC-S-1, Sec. III.	do	do	Dec. 1, 1974
South Sunflower County Hospital	Indianola	APC-S-1, Sec. III.	do	do	May 17, 1974
Three Lion Britches Inc	Ruleville	APC-S-1, Sec. III.	do	do	Do
Berryhill Bros. Planting Co	Rome	APC-S-1	June 4, 1973	do	Dec. 1, 1974
Crawford Ready Mix Co	Indianola	APC-S-1	do	do	Oct. 4, 1974
Farmers Gin Co., Inc. (No. 3)	Drew	APC-S-1	do	do	Dec. 1, 1974
Mrs. Lucy B. Hill	Rome	APC-S-1	do	do	Do
Indianola Supply & Cotton Gin Co., Inc.	Indianola	APC-S-1	do	do	Do
ITT Thompson Ind	Drew	APC-S-1	do	do	Oct. 4, 1974
J.F.W.P. Gin Co., Inc	Sunflower	APC-S-1	do	do	Dec. 1, 1974
Ludlow Corp	Indianola	APC-S-1	do	do	Oct. 4, 1974
Manning Gin Co., Inc	Drew	APC-S-1	do	do	Dec. 1, 1974
Sunflower Gin	Sunflower	APC-S-1	do	do	July 31, 1975
Noel Ind., Inc	Ruleville	APC-S-1	do	do	Oct. 4, 1974
Mississippi State Penitentiary Gin	Parchman	APC-S-1	do	do	Dec. 1, 1974
Paymaster Oil Mill Co	Ruleville	APC-S-1	do	do	Oct. 4, 1974
Ruleville Manufacturing Co	do	APC-S-1	do	do	Do
West Packing Co	Indianola	APC-S-1	do	do	Do
Baird Gin Co	Baird	APC-S-1	do	do	Dec. 1, 1974
Parker Bros. & Cummin, Inc	Drew	APC-S-1	do	do	Do
Delta Brick & Tile Co., Inc	Indianola	APC-S-1	do	do	July 31, 1975.
TALLAHATCHIE COUNTY					
The Abbey Gin	Webb	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Albin Gin Co	do	APC-S-1, Sec. III.	do	do	Do.
Buford Gin Co	Swan Lake	APC-S-1, Sec. III.	do	do	July 1, 1975.
Cowart Gin Co., Inc	Charleston	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Due West Gin Co	Glendora	APC-S-1, Sec. III.	do	do	Do.
J. R. Flautt's & Sons Gin	Swan Lake	APC-S-1, Sec. III.	do	do	Dec. 1, 1973.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Glendora Gin Co	Glendora	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
House Gin Co	Enid	APC-S-1, Sec. III.	do	do	Do.
Marcel Co-operative Gin	Phillip	APC-S-1, Sec. III.	do	do	Do.
Midway Gin Co	Glendora	APC-S-1, Sec. III.	do	do	Do.
Mitchener Gin Inc	Sumner	APC-S-1, Sec. III.	do	do	July 1, 1975.
Paynes Gin Co., Inc	Charleston	APC-S-1, Sec. III.	do	do	Do.
Phillips Gin Co., Inc	Phillip	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Planters Gin Co	Sumner	APC-S-1, Sec. III.	do	do	Do.
Sumner Gin Co., Inc	do	APC-S-1, Sec. III.	do	do	Do.
Tippo Gin Association	Tippo	APC-S-1, Sec. III.	do	do	Do.
Tutwiler Ginning Co., Inc	Tutwiler	APC-S-1, Sec. III.	do	do	Do.
Webb Gin Co	Webb	APC-S-1, Sec. III.	do	do	July 1, 1975.
Tallahatchie Hardwood	Charleston	APC-S-1	Dec. 16, 1974	do	Oct. 5, 1974.
Brazil Gin	Summer	APC-S-1	June 4, 1973	do	Dec. 1, 1974.
Charldon Manufacturing Co	Charleston	APC-S-1	do	do	Oct. 4, 1974.
A. P. deMange Lumber Co., Inc	do	APC-S-1	do	do	Oct. 5, 1974.
W. L. Lowe	Glendora	APC-S-1	do	do	Do.
Tallahatchie General Hospital	Charleston	APC-S-1	do	do	Do.
Farmer's Gin of Charleston, Inc	do	APC-S-1	do	do	Dec. 1, 1974.
TATE COUNTY					
Coldwater Cotton Gin	Coldwater	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Turleys Bros. Gin	Savage	APC-S-1, Sec. III.	do	do	Do.
Wyatte Gin Co	Senatobia	APC-S-1, Sec. III.	Feb. 28, 1974	do	Do.
Tate County Ready-Mix, Inc	do	APC-S-1	do	do	May 28, 1975.
B & M Cleaners and Shirt Laundry	do	APC-S-1	June 4, 1973	do	Oct. 4, 1974.
A. B. Cullen & Sons	Coldwater	APC-S-1	do	do	Do.
The Dehner Co	do	APC-S-1	do	do	Do.
Pollan Dry Cleaners	Senatobia	APC-S-1	do	do	Do.
Senatobia Fixture Co	do	APC-S-1	do	do	Do.
Sterling Gin Co	do	APC-S-1	do	do	Dec. 1, 1974.
Thyratira Gin Co., Inc	do	APC-S-1	do	do	Do.
Chromcraft Corp	do	APC-S-1	do	do	Aug. 1, 1974.
W. L. Wallace & Sons Gin Co	Coldwater	APC-S-1	do	do	Dec. 1, 1974.
Farmers Gin Co., Inc	do	APC-S-1	do	do	July 31, 1975.
TIPPAH COUNTY					
Childs Gin	Ripley	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
McAlister Gin Co	Blue Mountain	APC-S-1, Sec. III.	do	do	Do.
Ripley Gin Co	Ripley	APC-S-1, Sec. III.	do	do	Do.
Tippah County Hospital	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Tippersville Gin Co	Tippersville	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Lockhart Feed Mill	Ripley	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
BASF Wyandotte Corp	Blue Mountain	APC-S-1	June 4, 1973	do	Oct. 5, 1974.
J. E. Butler Sawmill	Falkner	APC-S-1	do	do	Do.
Genesco	Ripley	APC-S-1	do	do	Do.

MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
L. J. Grisham Sawmill	do	APC–S–1	do	do	Do.
Hot Mix, Inc	Tiplersville	APC–S–1	do	do	Oct. 30, 1974.
Johnson Lumber Co	Walnut	APC–S–1	do	do	Oct. 5, 1974.
Nalls Sawmill, Inc	do	APC–S–1	do	do	Do.
North Ripley Lumber Co	Ripley	APC–S–1	do	do	Do.
Oil-Dri Production Co	do	APC–S–1	do	do	Do.
Ripley Saw Co	do	APC–S–1	do	do	Do.
Walnut Wood Products Co., Inc	Walnut	APC–S–1	do	do	Do.
Jeff Young Sawmill	Ripley	APC–S–1	do	do	Do.
Dickerson & Peeler Sawmill	do	APC–S–1	do	do	Do.
Falkner Gin Co	Falkner	APC–S–1	do	do	Aug. 20, 1974.
Walnut Gin Co	Walnut	APC–S–1	do	do	Dec. 1, 1974.
J. E. Hodum Sawmill	do	APC–S–1	do	do	Do.
Fred Bass Sawmill	do	APC–S–1	do	do	Oct. 1, 1974.
					Oct. 5, 1974.
TISHOMINGO COUNTY					
Carters Belmont Gin Co., Inc	Belmont	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Iuka Gin Co	Iuka	APC–S–1, Sec. III.	do	do	Do.
Burnsville Gin Co	Burnsville	APC–S–1	June 4, 1973	do	Dec. 1, 1974.
Miss. Stone Co., Inc	Iuka	APC–S–1	do	do	Oct. 5, 1974.
Tishomingo County Hospital	do	APC–S–1	do	do	Do.
Genesco	do	APC–S–1	do	do	Oct. 9, 1974.
TUNICA COUNTY					
Bowdre Plantation Gin	Robinsonville	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Farmers & Planters Gin Co		APC–S–1, Sec. III.	do	do	Do.
Flower Lake Gin	Dundee	APC–S–1, Sec. III.	do	do	Do.
Hood & Block Gin	Tunica	APC–S–1, Sec. III.	do	do	Do.
Martin & West Gin Co	Dundee	APC–S–1, Sec. III.	do	do	Do.
Maud Gin Co., Inc	Tunica	APC–S–1, Sec. III.	do	do	Do.
Perry Gin Co	do	APC–S–1, Sec. III.	do	do	Do.
Porter's Gin	West Union	APC–S–1, Sec. III.	do	do	Do.
Robinsonville Seed Co	Robinsonville	APC–S–1, Sec. III.	do	do	Do.
Abboy & Leatherman, Inc	do	APC–S–1	June 4, 1973	do	Do
Owen Bros. Gin	Tunica	APC–S–1	do	do	Do.
Planters Oil Mill	do	APC–S–1	do	do	Oct. 6, 1974.
Tunica Manufacturing Co., Inc	do	APC–S–1	do	do	Do.
Seven-Mile Gin	do	APC–S–1	do	do	Dec. 1, 1974.
Teylor Gin Supply Co	Dundee	APC–S–1	do	do	Do.
Three Way Gin Co	Tunica	APC–S–1	do	do	Do.
Tunica County Hospital	do	APC–S–1	do	do	Aug. 20, 1974.
UNION COUNTY					
Mississippi Chemical Corp	New Albany	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Sept. 1, 1973.
Porter's Gin	West Union	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Morris Feed Mill	Enterprise	APC–S–1	Dec. 16, 1974	do	July 31, 1975.
Denton Sleeping Garment Mills	New Albany	APC–S–1	June 4, 1973	do	Oct. 6, 1974.
Ertel Mfg. Corp	do	APC–S–1	do	do	Do.
Leher Spring & Electric Car Corp	do	APC–S–1	do	do	Do.
Long Bros. Gin	Blue Spring	APC–S–1	do	do	Dec. 1, 1974.
Master-Bilt Product Division	New Albany	APC–S–1	do	do	Oct. 6, 1974.
U.S. Extrusion Impacts, Inc	do	APC–S–1	do	do	Do.
Union Lumber Co. (Lumber)	do	APC–S–1	do	do	Do.

Mississippi—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Union Lumber Co. (Ready Mix Concrete).	do	APC-S-1	do	do	Do.
Roger's Gin & Supply Co	do	APC-S-1	do	do	Dec. 1, 1974.
MFC Services	do	APC-S-1	do	do	Aug. 20, 1974.
WALTHALL COUNTY					
Gennin Gin Co	Tylertown	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Phillips-Lamp Lumber Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
Walthall Community General Hospital.	do	APC-S-1, Sec. III.	do	do	Do.
Cantwell's Feed Mill	do	APC-S-1	June 4, 1973	do	Oct. 6, 1974.
Walthall Gin Co	do	APC-S-1	do	do	Dec. 1, 1974.
WARREN COUNTY					
Department of the Army—Vicksburg District, Corps of Engineers.	Vicksburg	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Houston Bros. Lumber Co	do	APC-S-1, Sec. III.	do	do	Do.
U.S. Rubber Reclaiming	do	APC-S-1	do	do	May 1, 1975.
Vicksburg Chemical Co. K-No. 3 Dust Emissions.	do	APC-S-1	Dec. 16, 1974	do	Feb. 1, 1975.
Valley Cement Ind., Inc	Redwood	APC-S-1	do	do	Feb. 12, 1975.
Mid-South Milling Co	Vicksburg	APC-S-1	do	do	Oct. 20, 1974.
Vicksburg Terminal Elevators	do	APC-S-1	June 4, 1973	do	Oct. 13, 1974.
Vicksburg Tow Co	do	APC-S-1	do	do	Do.
Westinghouse Electric Co	do	APC-S-1	do	do	Do.
Wood Bros. Manufacturing Co	do	APC-S-1	do	do	Do.
Donnel Builders, Inc	do	APC-S-1	do	do	Oct. 20, 1974.
Brunswick Gin	do	APC-S-1	do	do	Dec. 1, 1974.
Big River Shipbuilding, Inc	do	APC-S-1	do	do	Oct. 20, 1974.
Port Gibson Concrete Co	do	APC-S-1	do	do	Do.
Vicksburg Concrete Co., Inc	do	APC-S-1	do	do	Do.
Valley Mills Co	do	APC-S-1	do	do	Do.
Sangamo Elec. Co	do	APC-S-1	do	do	Do.
Magnolia Homes Manufacturing Corp.	do	APC-S-1	do	do	Do.
Ludke Electric, Inc	do	APC-S-1	do	do	Do.
Jitney Jungle No. 4	do	APC-S-1	do	do	Do.
Gooch's Feed Mill	do	APC-S-1	do	do	Do.
Flintkote Co	do	APC-S-1	do	do	Do.
Anderson-Tully Co. Mill D	Waltersville	APC-S-1	do	do	Oct. 9, 1974.
Anderson-Tully Co. Mill J	do	APC-S-1	do	do	Do.
Anderson-Tully Co. Waltersville Mill.	do	APC-S-1	do	do	Do.
Vicksburg Convalescent Home	Vicksburg	APC-S-1	do	do	Apr. 1, 1974.
Vicksburg Chemical Vent No. 1	do	APC-S-1	do	do	Do.
Vicksburg Chemical Vent No. 2	do	APC-S-1	do	do	June 30, 1975.
W. J. Runyan & Son Construction Co.	Highway 27, Vicksburg.	APC-S-1	do	do	Oct. 31, 1974.
W. J. Runyan & Son Construction Co.	Highway 61 N, Vicksburg.	APC-S-1	do	do	Do.
Mercy Hospital Street Memorial	Vicksburg	APC-S-1	do	do	July 1, 1974.
International Paper Co.:					
a. Paper Mill Continuous Digestor.	do	APC-S-1	do	do	May 31, 1975.
b. Evaporator	do	APC-S-1	do	do	Do.
c. Lime Kiln	do	APC-S-1	do	do	Do.
Atlas Tank Manufacturing Co	do	APC-S-1	do	do	Dec. 31, 1974.
WASHINGTON COUNTY					
Allied Gin Co	Leland	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Avon Gin Co. (AAL)	Avon	APC–S–1, Sec III.	do	do	Do.
Berkley Cooperative Gin Co	Chatham	APC–S–1, Sec. III.	do	do	Do.
Burdine & Ross, Inc	Greenville	APC–S–1, Sec. III.	do	do	May 17, 1974.
Darlove Gin	Darlove	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Deer Creek Gin Co	Leland	APC–S–1, Sec. III.	do	do	Do.
Delta Gin Co	Metcalfe	APC–S–1, Sec. III.	do	do	Do.
Dunleith Gin	Leland	APC–S–1, Sec. III.	do	do	Do.
Estill Gin Co., Inc	Hollandale	APC–S–1, Sec III.	do	do	Do.
Fisher-Rich Gin Co	Chatham	APC–S–1, Sec III.	do	do	Do.
Gilnockie Planting Co	Elizabeth	APC–S–1, Sec. III.	do	do	Do.
H. K. Hammett & Sons	Greenville	APC–S–1, Sec. III.	do	do	Do.
King's Daughter Hospital	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
Lake Washington Gin Co., Inc	Glen Allan	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Leland Oil Works Gin	Leland	APC–S–1, Sec. III.	do	do	Do.
Mississippi Cottonseed Products Co.	Hollandale	APC–S–1, Sec. III.	do	do	May 17, 1974.
Neill Gin Co	Leland	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
South Washington Co. Hospital	Hollandale	APC–S–1, Sec. III.	do	do	May 17, 1974.
Swiftwater Gin Co	Wayside	APC–S–1, Sec III.	do	do	Dec. 1, 1974.
Thompson-Haywood Chemical Co.	Greenville	APC–S–1, Sec. III.	do	do	May 17, 1974.
Trail Lake Gin Co	Tralake	APC–S–1, Sec III.	do	do	Dec. 1, 1974.
Tribbett Gin Co	Tribbett	APC–S–1, Sec. III.	do	do	Do.
Walker Farms Gin No. 1	Stoneville	APC–S–1, Sec. III.	do	do	Do.
Walker Farms Gin No. 2	do	APC–S–1, Sec. III.	do	do	Do.
W. S. Witte Memorial Hospital	Leland	APC–S–1, Sec. III.	do	do	May 17, 1974.
J. J. Ferguson Ready Mix Hot Mix Co.	Greenville	APC–S–1	Feb. 28, 1974	do	Dec. 1, 1974.
Burge Corp	do	APC–S–1	Dec. 16, 1974	do	July 31, 1975.
U.S. Gypsum Co	do	APC–S–1	do	do	Apr. 1, 1975.
Mississippi Marine Corp	do	APC–S–1	June 4, 1973	do	Oct. 13, 1974.
Greenville Mill Division Mohasco Ind.	do	APC–S–1	do	do	Do.
Tri-State Concrete Products, Inc	do	APC–S–1	do	do	Do.
Walker Farms Dairy Products, Inc.	Stoneville	APC–S–1	do	do	Do.
Y-D Lumber Co	Hollandale	APC–S–1	do	do	Do.
Staple Cotton Services Assoc	do	APC–S–1	do	do	Oct. 20, 1974.
Rode Ready Mix Concrete Co	do	APC–S–1	do	do	Do.
Hollandale Elevator Co	do	APC–S–1	do	do	Do.
Warren Bros. Co	Greenville	APC–S–1	do	do	Do.
Mid States Steel & Wire	do	APC–S–1	do	do	Do.
Arkansas Valley, Ind., Inc	do	APC–S–1	do	do	Oct. 9, 1974
Belton Bagging Co	do	APC–S–1	do	do	Oct. 13, 1974.
Brown's Sheet Metal & Roofing, Inc.	do	APC–S–1	do	do	Do.
Clark Farm & Gin Co	Arcola	APC–S–1	do	do	Dec. 1, 1974.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Delta Metal Forming	Greenville	APC-S-1	do	do	Oct. 13, 1974.
Greenville Head & Block Co., Inc.	do	APC-S-1	do	do	Do.
Greenville Ready-Mix Concrete Co., Inc.	do	APC-S-1	do	do	Do.
Mid-States Metal Products	do	APC-S-1	do	do	Do.
Cleaver Brooks Co	do	APC-S-1	do	do	Do.
Chicago Mill & Lumber Co	do	APC-S-1	do	do	July 31, 1975.
Crowe Gin Co	Hollandale	APC-S-1	do	do	Dec. 1, 1974.
Dillingham Manufacturing Co	Leland	APC-S-1	do	do	Aug. 21, 1974.
Hampton Gin & Supply Co	Glen Allen	APC-S-1	do	do	Dec. 1, 1974.
Horton Gin Co., Inc	Hollandale	APC-S-1	do	do	Do.
Refuge Plantation Gin	Greenville	APC-S-1	do	do	Do.
Valley Chemical Co	do	APC-S-1	do	do	Aug. 21, 1974.
Leland Oil Works	Leland	APC-S-1	do	do	Oct. 19, 1974.
Burdette Gin Co	do	APC-S-1	Feb. 27, 1973	do	July 31, 1975.
Dean Gin Co	Tribbett	APC-S-1	do	do	Do.
Highland Plantation Gin	Greenville	APC-S-1	do	do	Do.
Hollandale Gin Co	Hollandale	APC-S-1	do	do	Do.
North Leland Gin Co	Leland	APC-S-1	do	do	Do.
Rebel Gin Co	Arcola	APC-S-1	do	do	Do.
WAYNE COUNTY					
Wayne General Hospital	Waynesboro	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Day Co., Inc	do	APC-S-1	June 4, 1973	do	July 1, 1975.
Wayne Manufacturing Co	do	APC-S-1	do	do	Oct. 1, 1974.
Longleaf Forest Products	do	APC-S-1	do	do	Oct. 20, 1974.
WEBSTER COUNTY					
Belle Fontaine Gin Co	Belle Fontaine	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Futorian Corp	Eupora	APC-S-1, Sec. III.	do	do	Dec. 10, 1973.
W. H. Lamb Gin Co	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Phillips Contracting Co., Inc	Mathiston	APC-S-1, Sec. III.	do	do	May 17, 1974.
Webster General Hospital	Eupora	APC-S-1, Sec. III.	do	do	Do.
Mersman Bros. Corp	do	APC-S-1	June 4, 1973	do	Oct. 1, 1974.
Doolittle Gin Co	do	APC-S-1	do	do	Dec. 1, 1974.
WILKINSON COUNTY					
Field Memorial Community Hospital.	Centerville	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	May 17, 1974.
Laurel Hill Lumber Co	Woodville	APC-S-1	June 4, 1973	do	Oct. 20, 1974.
WINSTON COUNTY					
James T. Eates Gin Co	Noxapater	APC-S-1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Farmers Gin Associates	Louisville	APC-S-1, Sec. III.	do	do	Do.
River & Reynolds Lumber Co	do	APC-S-1, Sec. III.	do	do	May 17, 1974.
John Woodard's Cotton Gin	do	APC-S-1, Sec. III.	do	do	Dec. 1, 1974.
Quality Feed Mill	do	APC-S-1	Feb. 28, 1974	do	Do.
Barton Sawmill	do	APC-S-1	Dec. 16, 1974	do	July 31, 1975.
Georgia-Pacific Corp. (Particleboard Plant).	do	APC-S-1	do	do	July 1, 1975.
Louisville Sawmill (Koppers Co.)	do	APC-S-1	June 4, 1973	do	Oct. 1, 1974.
Spartus Corp	do	APC-S-1	do	do	Do.
Winston County Community Hospital.	do	APC-S-1	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Wand-Boydstun	do	APC–S–1	do	do	Oct. 20, 1974.
		YALOBUSHA COUNTY			
B & I Gin Co., Inc	Water Valley	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Riles Lumber Co	do	APC–S–1	June 4, 1973	do	Oct. 1, 1974.
The New Gin	Coffeeville	APC–S–1	do	do	Dec. 1, 1974.
		YAZOO COUNTY			
Bentonia Gin Co	Bentonia	APC–S–1, Sec. III.	Feb. 27, 1973	Immediately	Dec. 1, 1974.
Carroll Gin Co	Holly Bluff	APC–S–1, Sec. III.	do	do	Do.
Jordan's Gin Co	Yazoo City	APC–S–1, Sec. III.	do	do	July 31, 1975.
King's Daughter Hospital	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
Linwood Gin Co	Vaughan	APC–S–1, Sec. III.	do	do	Dec. 1, 1974.
Midway Gin of Yazoo Co., Inc	Benton	APC–S–1, Sec. III.	do	do	Do.
Miss. Chemical Corp.—Ammonium Nitrate Plant.	Yazoo City	APC–S–1, Sec. III.	do	do	July 31, 1975.
Miss. Chemical Corp.—Fertilizer Facility.	do	APC–S–1, Sec. III.	do	do	Sept. 1, 1973.
Mississippi Chemical Corp. Urea Plant.	do	APC–S–1, Sec. III.	do	do	Feb. 1, 1974.
Mississippi Supply Co	do	APC–S–1, Sec. III.	do	do	May 17, 1974.
Peoples Gin Co	Carter	APC–S–1, Sec. III.	do	do	July 31, 1975.
Riverside Gin Co., Inc	Yazoo City	APC–S–1, Sec. III.	do	do	Do.
Satartia Gin Co	Satartia	APC–S–1, Sec. III.	do	do	Do.
Schaefer's Gin	Yazoo City	APC–S–1, Sec. III.	do	do	Do.
Sharbrough Gin Co	Holly Bluff	APC–S–1, Sec. III.	do	do	Do.
Bunge Corp	Yazoo City	APC–S–1	Dec. 16, 1974	do	Do.
Mississippi Chemical Corp. (Urea Plant).	do	APC–S–1	Feb. 28, 1974	do	Do.
Ammonium Nitrate Neutralizer Section.	do	APC–S–1	do	do	Do.
Cathey-Williams-Jones Co	Bentonia	APC–S–1	June 4, 1973	do	Oct. 13, 1974.
Gooch Bros. Lumber	Yazoo City	APC–S–1	do	do	Do.
Vaughn Gin Co	Vaughn	APC–S–1	do	do	Dec. 1, 1974.
Yazoo Paving Co	Yazoo City	APC–S–1	do	do	Oct. 13, 1974.
Yazoo Ready Mix	do	APC–S–1	do	do	Do.
Planters Gin of Bentonia	Bentonia	APC–S–1	do	do	Dec. 1, 1974.
McGraw-Curren Lumber Co	Yazoo City	APC–S–1	do	do	Oct. 20, 1974.

[39 FR 30127, Aug. 21, 1974, as amended at 40 FR 3431, Jan. 22, 1975; 40 FR 42355, Sept. 12, 1975; 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.1275 Legal authority.

(a) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

(b) The requirements of § 51.230(f) of this chapter are not met, since section 7106-117 of the Mississippi Code could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 7106-117 is disapproved.

[39 FR 7282, Feb. 25, 1974, as amended at 39 FR 34536, Sept. 26, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.1276 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for State of Mississippi.

[39 FR 7282, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.1277 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met, since the legal authority to provide public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55330, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.1278 [Reserved]

§ 52.1279 Maintenance of national standards.

(a) Pursuant to the requirements of § 51.110 (h) and (i), of this chapter, the Administrator, in agreement with the State of Mississippi, has identified no areas that have the potential for violation of the national ambient air quality standards within 10 years.

[40 FR 18735, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1280 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Mississippi.

(c) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of Mississippi shall be submitted to the Bureau of Pollution Control, Department of Natural Resources, P.O. Box 10385, Jackson, Mississippi 39209.

[43 FR 26410, June 19, 1978, as amended at 45 FR 34272, May 22, 1980; 45 FR 52741, Aug. 7, 1980]

Subpart AA—Missouri

§ 52.1320 Identification of plan.

(a) Title of plans:

(1) "State of Missouri, Kansas City and Out-State Air Quality Control Regions Implementation Plan."

(2) "Implementation Plan for the Missouri Portion of the St. Louis Interstate Air Quality Control Region."

(b) The plans were officially submitted on January 24, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Budget and manpower projections were submitted by the State Air Conservation Commission (ACC) on February 28, 1972. (Non-regulatory)

(2) A memorandum from the State Air Conservation Commission concerning the effects of adopting Appendix B to NO_x emissions in the St. Louis area was submitted on March 27, 1972. (Non-regulatory)

(3) The determination of the CO air quality data base on the St. Louis area was submitted on May 2, 1972, by the Air Conservation Commission. (Non-regulatory)

(4) The emergency episode operations/communications manual for the Kansas City area was submitted on May 11, 1972, by the State Air Conservation Commission. (Non-regulatory)

(5) Amendments to the Air Conservation Law, Chapter 203, and plans for air monitoring for outstate Missouri were submitted July 12, 1972, by the Air Conservation Commission.

(6) The following amendments to the St. Louis and Kansas City outstate plans were submitted August 8, 1972, by the State ACC: Air Conservation Law, Chapter 203; Kansas City Ordinance, Chapter 18; Regulations XVIII, XX, XXVI (St. Louis); Regulations X, XII, XVII (Kansas City) and Regulations S-11, S-X111 and S-X11 (outstate).

(7) Letters discussing transportation control strategy for Kansas City Interstate AQCR submitted by the State ACC on May 11 and 21, 1973. (Non-regulatory)

(8) Alert plan for St. Louis County and outstate Missouri was submitted on May 24, 1973, by the ACC. (Regulatory)

(9) Copy of the State's analysis of ambient air quality in the Missouri portion of the Metropolitan Kansas City Interstate Air Quality Control Region and recommendation that the area not be designated as an Air Quality Maintenance Area submitted by the Missouri Air Conservation Commission on April 11, 1974. (Non-regulatory)

(10) Copy of the State's analysis of the Missouri portion of the Metropolitan St. Louis Interstate Standard Metropolitan Statistical Area (SMSA), the Columbia SMSA and the Springfield SMSA and recommendations for the designation of Air Quality Maintenance Areas submitted by the Missouri Air Conservation Commission on May 6, 1974. (Non-regulatory)

(11) Compliance Schedules were submitted by the Missouri Air Conservation Commission on June 3 and October 1, 1976.

(12) Compliance Schedules were submitted by the Missouri Air Conservation Commission on November 23, 1976.

(13) On August 28, 1978, the following revisions were submitted by the Missouri Department of Natural Resources:

(i) The recodification of Missouri regulations of July 1, 1976, now contained in Title 10, Division 10 of the Code of State Regulations.

(ii) Title 10, Division 10, Chapter 6 of the Code of State Regulations which contains air quality standards, definitions, and reference methods.

(iii) Missouri Rule 10 CSR 10-2.200; Rule 10 CSR 10-3.150; and Rule 10 CSR 10-4.190 pertaining to control of SO_2 from indirect heating sources.

(iv) Missouri Rule 10 CSR 10-2.030; Rule 10 CSR 10-3.050; Rule 10 CSR 10-4.030; and 10 CSR 10-5.050 exempting certain process sources from the process weight regulations for particulate matter.

(v) Missouri Rule 10 CSR 10-2.190; Rule 10 CSR 10-3.140; Rule 10 CSR 10-4.180; and Rule 10 CSR 10-5.280 which contain the "Standards of Performance for New Stationary Sources," found at 40 CFR Part 60 as in effect on January 18, 1975.

(vi) Missouri Rule 10 CSR 10-2.060; Rule 10 CSR 10-3.080; Rule 10 CSR 10-4.060; and Rule 10 CSR 10-5.090 which require continuous opacity monitors for certain sources.

(vii) Missouri Rule 10 CSR 10-5.140 for determining settlable acid and alkaline mists is rescinded.

(viii) The EPA is taking no action on Rule 10 CSR 10-5.100; 10 CSR 10-2.050, and 10 CSR 10-3.070 which limit fugitive particulate emissions from the handling, transporting and storage of materials in the State of Missouri.

(14) On March 12, 1979, the Missouri Department of Natural Resources submitted Rule 10 CSR 10-3.100 and Rule 10 CSR 10-5.150 establishing revised SO_2 emission limits for primary lead smelters.

(15) On March 1, 1979, the Missouri Department of Natural Resources submitted a revision of regulation 10 CSR 10-5.110 revising the allowable emission rates of sulfur dioxide from Union Electric's Sioux and Labadie power plants.

(16) On July 2, 1979, the State of Missouri submitted a plan to attain the National Ambient Air Quality Standards for the Kansas City and St. Louis areas of the state designated nonattainment under section 107 of the Clean Air Act, as amended in 1977. Included in the plan are the following approved regulations as amended, in part, in subsequent submittals:

(i) Rule 10 CSR 10-2.210 and 10 CSR 10-5.300 Control of Emissions from Solvent Metal Cleaning are approved as RACT;

(ii) Rule 10 CSR 10-2.220 and 10 CSR 10-5.310 Liquified Cutback Asphalt Paving Restriated are approved as RACT;

(iii) Rule 10 CSR 10-5.220 Control of Petroleum Liquid Storage, Loading and Transfer (St. Louis) is approved as RACT.

(iv) Rule 10 CSR 10-2.260 Control of Petroleum Liquid Storage, Loading and Transfer (Kansas City) is approved as RACT;

(v) Rule 10 CSR 10-5.030 Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating is approved as RACT;

(vi) Rule 10 CSR 10-5.090 Restriction of Emission of Visible Air Contaminants is approved as RACT;

(vii) Rule 10 CSR 10-5.290 More Restrictive Emission Limitations for Sulfur Dioxide and Particulate Matter in South St. Louis is approved as RACT;

(viii) Rule 10 CSR 10-2.040 Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating is approved as RACT;

(ix) Rule 10 CSR 10-2.240 Restriction of Emissions of Volatile Organic Compounds from Petroleum Refinery Sources is approved as RACT;

(x) Rule 10 CSR 10-2.250 Control of Volatile Leaks from Petroleum Refinery Equipment is approved as RACT; and

(xi) Rule 10 CSR 10-2.230 and 10 CSR 10-5.330 Control of Emissions from Industrial Surface Coating Operations is approved as RACT.

(17) On July 2, 1979, the Missouri Department of Natural Resources submitted variances (compliance schedules) for Union Electric Company's Labadie power plant, River Cement Company, and Monsanto Company's Queeny plant. The compliance schedules require these sources to comply with revised Rule 10 CSR 10-5.090. In addition, the Labadie power plant is required to come into compliance with Rule 10 CSR 10-5.030.

(18) On April 7, 1980 the State of Missouri submitted plan revisions for the review and permitting of sources of air pollutant emissions in nonattainment areas. Included in the plan

are Missouri regulations 10 CSR 10-6.020, Definitions, and 10 CFR 10-6.060, Permits Required, as amended, in part, in subsequent submittals, which are approved as meeting the requirements of sections 172(b)(6), 172(b)(11)(A) and 173.

(19) On July 2, 1979, the Missouri Department of Natural Resources submitted the variance for the University of Missouri power plant.

(20) On March 11, 1977 the Missouri Department of Natural Resources submitted a variance for Noranda Aluminum.

(21) On June 25, 1979 the Missouri Department of Natural Resources submitted a variance for Associated Electric Cooperative in New Madrid.

(22) On April 25, 1979, the Missouri Department of Natural Resources submitted the variance for the Union Electric Company's Meramec power plant.

(23) Revisions to Rule 10 CSR 10-2.260 Control of Petroleum Liquid Storage, Loading and Transfer (Kansas City), submitted on September 5, 1980, amending the vapor pressure limit in Section 2(A) and amending the limit on gasoline loading in Section 3(B)(1), are approved as RACT.

(24) A schedule for an inspection and maintenance program in St. Louis and a commitment by the East-West Gateway Coordinating Council regarding difficult transportation control measures, submitted on September 9, 1980.

(25) On September 5, 1980, the State of Missouri submitted new regulations and amendments to existing regulations to control emissions of volatile organic compounds in the St. Louis and Kansas City ozone nonattainment areas. Included in the plan revision are the following approved regulations as amended, in part, in subsequent submittals:

(i) Amendments to Rule 10 CSR 10-2.230 and to Rule 10 CSR 10-5.330, Control of Emissions from Industrial Surface Coating Operations, are approved as RACT;

(ii) Amendments to Rule 10 CSR 10-2.260 and to Rule 10 CSR 10-5.220, Control of Petroleum Liquid Storage, Loading and Transfer, are approved as RACT;

(iii) Amendments to Rule 10 CSR 10-6.020, Definitions, and to Rule 10 CSR 10-6.030, Sampling Methods for Air Pollution Sources, and to Rule 10 CSR 10-6.040, Reference Methods, are approved as RACT;

(iv) Rule 10 CSR 10-2.280 and Rule 10 CSR 10-5.320, Control of Emissions from Perchloroethylene Dry Cleaning Installations, are approved as RACT;

(v) Rule 10 CSR 10-2.290, Control of Emissions from Rotogravure and Flexographic Printing Facilities, is approved as RACT;

(vi) Rule 10 CSR 10-5.350, Control of Emissions from the Manufacture of Synthesized Pharmaceutical Products, is approved as RACT;

(vii) Rule 10 CSR 10-5.340, Control of Emissions from Rotogravure and Flexographic Printing Facilities is approved as RACT.

(26) On September 2, 1980, the Missouri Department of Natural Resources submitted the State Implementation Plan for Lead. On February 11 and 13, 1981, the Missouri Department of Natural Resources submitted two letters containing additional information concerning the State Implementation Plan for Lead.

(27) Definitions and amended startup, shutdown and malfunction provisions in Rules 10 CSR 10-2.030, 10-3.050, 10-3.060, 10-3.080, 10-4.030, 10-4.040 and 10-5.050.

(28) Revisions to Rule 10 CSR 10-6.060 Permits Required, submitted on April 7, 1981.

(29) A revision to Rule 10 CSR 10-5.220 Control of Petroleum Liquid Storage, Loading and Transfer (St. Louis), submitted on April 14, 1981, amending the emission limit in Section 3, is approved as RACT.

(30) A report on the recommended type of I/M program, stringency factor, vehicle test mix, and program resources and justification, submitted on December 16, 1980, is approved as meeting the applicable condition on the SIP. No action is being taken with respect to the approvability of the specific recommendation sin the report.

(31) A report from the East-West Gateway Coordinating Council outlining commitments to transportation

control measures, an analysis of those measures, and the results of the carbon monoxide dispersion modeling, submitted on February 12 and April 28, 1981, is approved as meeting the applicable condition on the SIP.

(32) A variance from Missouri Rule 10 CSR 10-3.050 Restriction of Emission of Particulate Matter From Industrial Processes, for St. Joe Minerals Corporation, Pea Ridge Iron Ore facility, was submitted by the Missouri Department of Natural Resources on May 6, 1981 with supplementary information submitted on June 22 and July 28, 1981.

(33) On September 5, 1980, the Missouri Department of Natural Resources submitted a revision of Missouri Rule 10 CSR 10-3.050, Restriction of Emission of Particulate Matter from Industrial Processes, which exempts existing Missouri type charcoal kilns from the Rule.

(34) A variance from Missouri Rules 10 CSR 10-3.060, Maximum Allowable Emissions of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating, and 10 CSR 10-3.080, Restriction of Emission of Visible Air Contaminants, was submitted by the Missouri Department of Natural Resources on August 12, 1981.

(35) A variance from Missouri Rule 10 CSR 10-2.260, Control of Petroleum Liquid Storage, Loading and Transfer for the Kansas City Metropolitan Area, was submitted by the Missouri Department of Natural Resources on June 11, 1981.

(36) Revisions to Rule 10 CSR 10-5.340, Control of Emissions from Rotogravure and Flexographic Printing Facilities, submitted on April 15, 1982, are approved as RACT.

(37) On April 15, 1982, the State of Missouri submitted a new Rule 10 CSR 10-6.060, Permits Required, and Amendments to Rule 10 CSR 10.6020, Definitions, involving the review and permitting of new sources of air pollution. Included in the plan are provisions relating to the attainment area (PSD) new source review. The plan also includes new source review provisions of nonattainment areas in the State.

(38) Revisions to Rules 10 CSR 10-2.280 (Kansas City) and 10 CSR 10-5.320 (St. Louis), both entitled Control of Emissions from Perchloroethylene Dry Cleaning Installations, and 10 CSR 10-5.290, More Restrictive Emission Limitations for Sulfur Dioxide and Particulate Matter in the South St. Louis Area, submitted on July 13, 1982, are approved.

(39) [Reserved]

(40) The 1982 carbon monoxide and ozone state implementation plan revisions were submitted by the Department of Natural Resources on December 23, 1982. A revised version of the 1982 carbon monoxide and ozone plan was submitted by the Department of Natural Resources on August 24, 1983. This version contained updated inventories, attainment demonstrations and schedules to adopt rules. The submission included new rule 10 CSR 10-5.360, Control of Emissions from Polyethylene Bag Sealing Operations. (No action was taken with respect to provisions dealing with control strategy demonstration, reasonable further progress and inspection and maintenance of motor vehicles.)

(41) Revised rule 10 CSR 10-1.010, General Organization, was submitted by the Missouri Department of Natural Resources on December 30, 1982.

(42) [Reserved]

(43) On March 26, 1984, the Missouri Department of Natural Resources submitted a revision to the September 2, 1980, lead State Implementation Plan pertaining to item 4 of the consent order for the St. Joe Lead Company. The revision consists of a substitution of equivalent control measures for item 4.

(44) A variance from Missouri Rule 10 CSR 10-3.050, Restriction of Emission of Particulate Matter from Industrial Processes, for the St. Joe Minerals Corporation, Pea Ridge Iron Ore facility, was submitted by the Missouri Department of Natural Resources on July 1, 1983.

(45) The Missouri Department of Natural Resources submitted revisions to regulations 10 CSR 10-2.100, 3.030, 4.090, and 5.070 requiring operating permits for open burning of untreated wood waste at solid waste disposal and processing installations effective April 12, 1984.

(46) On June 6, 1984, the Missouri Department of Natural Resources submitted the Air Quality Monitoring State Implementation Plan.

(47) In a letter dated August 14, 1984, the Missouri Department of Natural Resources submitted the rules, 10 CSR 10-6.030, Sampling Methods for Air Pollution Sources, and 10 CSR 10-6.040, Reference Methods.

(48) Revised rules 10 CSR 10-2.040, 3.060, 4.040 and 5.030 all entitled "Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating" were submitted September 24, 1984, by the Department of Natural Resources.

(49) On October 5, 1984, the Missouri Department of Natural Resources submitted a revision to the September 2, 1980, lead State Implementation Plan pertaining to item 6 of the Consent Order for the AMAX Lead Company. The revision consists of a substitution of equivalent control measures for item 6.

(50) The Missouri Department of Natural Resources submitted an amendment to Rule 10 CSR 10-5.330 "Control of Emissions from Industrial Surface Coating Operations," limiting emissions from surface coating of plastic parts and new Rule 10 CSR 10-5.370 "Control of Emissions from the Application of Deadeners and Adhesives" on January 24, 1984; and new Rule 10 CSR 10-5.390, "Control of Emissions from Manufacture of Paints, Varnishes, Lacquers, Enamels and Other Allied Surface Coating Products" and an amendment to 10 CSR 10-6.020, "Definitions" on April 10, 1984. (Approval action was deferred on 10 CSR 10-5.370.)

(51) The motor vehicle inspection and maintenance program for the St. Louis area was submitted August 27, 1984, by the Department of Natural Resources.

(i) Incorporations by reference. (A) Amendment to Regulations 10 CSR 10-5.380, "Motor Vehicle Emissions Inspections", published in the Missouri Register January 3, 1982;

(B) Missouri Revised Statutes, Sections 307.350 through 307.395, "Motor Vehicle Safety Inspection", as revised September 1983;

(C) Regulations 11 CSR 50-2.010 through 11 CSR 50-2.410, "Missouri Motor Vehicle Inspection Regulations", as revised July 1, 1982.

(ii) Additional material. (A) I/M Implementation Schedule.

(B) Highway Patrol Forms.

(C) Missouri Certified Emission Analyzers.

(D) Missouri Department of Revenue Policy.

(E) Highway Patrol QC Manual.

(F) EPA Approval of RACT Compliance.

(G) Public Awareness Materials.

(52) [Reserved]

(53) A rule requiring sources to keep records and report data and requiring emission data to be made public was submitted January 22, 1985, by the Department of Natural Resources. This rule replaces previous rules 10 CSR 10-2.130, 3.130, 4.120, and 5.210, all entitled "Submission of Emission Information" which were approved as parts of the State Implementation Plan; and previous rules 10 CSR 10-2.180, 3.120, 4.170, and 5.270, all entitled "Public Availability of Emission Data" which were not approved prior to the submission of this replacement rule.

(i) Incorporation by reference. A new regulation 10 CSR 10-6.110 published in the Missouri Register November 1, 1984.

(54) A new rule, Controlling Emissions During Episodes of High Air Pollution Potential, was submitted by the Department of Natural Resources on January 22, 1985.

(i) Incorporation by reference. 10 CSR 10-6.130, Controlling Emissions During Episodes of High Air Pollution Potential, adopted by the Missouri Air Conservation Commission and effective on October 11, 1984.

(ii) Additional material. The State has rescinded rules 10 CSR 10-2.170, 3.110, 4.160, and 5.260, all entitled "Rules for Controlling Emission During Periods of High Air Pollution Potential."

(55) [Reserved]

(56) The Missouri Department of Natural Resources submitted the Protection of Visibility Plan, 1985, on May 3, 1985.

(i) Incorporation by reference.

(A) Amendments to Missouri Rule 10 CSR 10-6.020, Definitions, and Rule 10 CSR 10-6.060, Permits Required. These Amendments were adopted by the Missouri Air Conservation Commission and became effective on May 11, 1985.

(ii) Additional material.

(A) Narrative description of visibility new source review program for Class I areas in Missouri.

(B) Visibility monitoring plan for Class I areas in Missouri.

(57) On July 1, 1985, the Missouri Department of Natural Resources submitted amendments to Rules 10 CSR 10-5.220 for the St. Louis Metropolitan Area, and 10 CSR 10-2.260 for the Kansas City Metropolitan Area. The amendments require bulk gasoline plants to be equipped with a vapor recovery system if their monthly throughput is greater than the exemption level.

(i) Incorporation by reference.

(A) 10 CSR 10-5.220, and 10 CSR 10-2.260, Control of Emissions from Petroleum Liquid Storage, Loading, and Transfer, as published in the Missouri Register on May 1, 1985.

(58) A plan revision demonstrating that the ozone standard will be attained in the St. Louis ozone nonattainment area by December 31, 1987, was submitted by the Department of Natural Resources on August 1, 1985.

(i) Incorporation by reference.

(A) An agreement and variance modification order dated July 18, 1985, signed by the Missouri Air Conservation Commission and the General Motors (GM) Corporation requiring that the GM St. Louis assembly plant meet interim emission limitations and comply with the SIP by shutdown by December 31, 1987.

(ii) Additional material.

(A) A revised and corrected emission inventory for base year 1980.

(B) A revised projected year 1987 inventory demonstrating that the additional emission reductions from two new regulations and one plant shutdown, in addition to reductions already required, will be adequate to reduce ambient ozone concentrations to the National Ambient Air Quality Standard for ozone.

(59) A new rule, Control of Emissions from the Production of Maleic Anhydride, was submitted by the Department of Natural Resources on January 21, 1986.

(i) Incorporation by reference

(A) 10 CSR 10-5.400, Control of Emissions from the Production of Maleic Anhydride, adopted by the Missouri Air Conservation Commission and effective on October 26, 1985.

(60) [Reserved]

(61) On June 9, 1986, the state of Missouri submitted an amendment to Rule 10 CSR 10-5.220, Control of Petroleum Liquid Storage, Loading, and Transfer. This amendment requires the control of volatile organic compound emissions from the refueling of motor vehicles in the St. Louis Metropolitan Area.

(i) Incorporation by reference.

(A) 10 CSR 10-5.220, Control of Petroleum Liquid Storage, Loading, and Transfer, revised paragraphs 4, 5, 6, 7, 8, and 9, published in the Missouri Register on May 1, 1985.

(62) A new rule, Control of Equipment Leaks from Synthetic Organic Chemical and Polymer Manufacturing Plants, was submitted by the Department of Natural Resources on November 19, 1986.

(i) Incorporation by reference, 10 CSR 10-5.420, Control of Equipment Leaks from Synthetic Organic Chemical and Polymer Manufacturing Plants, effective on September 26, 1986.

(63) An amendment to the rule, Restriction of Emissions of Sulfur Compounds, was submitted by the Department of Natural Resources on November 19, 1986.

(i) Incorporation by reference.

(A) Amended Regulation 10 CSR 10-3.100, Restriction of Emission of Sulfur Compounds adopted October 16, 1986, and effective on November 28, 1986.

[37 FR 10875, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.1320, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1321 Classification of regions.

The Missouri plans were evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Kansas City Interstate	I	III	III	I	I
Southwest Missouri Intrastate	I	III	III	III	III
Southeast Missouri Intrastate	III	III	III	III	III
Northern Missouri Intrastate	II	III	III	III	III
Metropolitan St. Louis Interstate	I	I	III	I	I

[37 FR 10875, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.1322 [Reserved]

§ 52.1323 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Missouri's plans for the attainment and maintenance of the national standards. Continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980, for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each successive January of Additional RACT requirements for sources covered by CTGs issued the previous January. New source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V of the emission offset interpretive rule published on January 16, 1979 (44 FR 3274) are met.

[37 FR 10876, May 31, 1972, as amended at 45 FR 24153, Apr. 9, 1980; 45 FR 30630, May 9, 1980; 49 FR 29221, July 19, 1984; 51 FR 31330, Sept. 3, 1986; 51 FR 36012, Oct. 8, 1986]

§ 52.1324 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the State does not have adequate legal authority to make all emissions data, as correlated with applicable emission limitations, available to the public. None of the local agencies have adequate procedures to make emission data available to the public.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The infor-

mation recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[37 FR 23089, Oct. 28, 1972, as amended at 40 FR 55330, Nov. 28, 1975; 47 FR 25144, June 10, 1982; 51 FR 40676, Nov. 7, 1986]

§ 52.1325 Legal authority.

(a) [Reserved]

(b) The requirements of § 51.232(b) of this chapter are not met since the following deficiencies exist in local legal authority.

(1) St. Louis County Division of Air Pollution Control:

(i) Authority to require recordkeeping is lacking (§ 51.230(e) of this chapter).

(ii) Authority to make emission data available to the public is inadequate because section 612.350, St. Louis County Air Pollution Control Code, requires confidential treatment in certain circumstances if the data concern secret processes (§ 51.230(f) of this chapter).

(2) St. Louis City Division of Air Pollution Control:

(i) Authority to require recordkeeping is lacking (§ 51.230(e) of this chapter).

(ii) Authority to require reports on the nature and amounts of emissions from stationary sources is lacking (§ 51.230(e) of this chapter).

(iii) Authority to require installation, maintenance, and use of emission monitoring devices is lacking. Authority to make emission data available to the public is inadequate because Section 39 of Ordinance 54699 requires confidential treatment in certain circumstances if the data relate to production or sales figures or to processes or production unique to the owner or operator or would tend to affect adversely the competitive position of the owner or operator (§ 51.230(f) of this chapter).

(3) Kansas City Health Department:

(i) Authority to require recordkeeping is lacking (§ 51.230(e) of this chapter).

(4) Independence Health Department:

(i) Authority to require recordkeeping is lacking (§ 51.230(e) of this chapter).

(ii) Authority to make emission data available to the public is lacking since section 11.161 of the code of the city of Independence requires confidential treatment in certain circumstances if the data relate to secret processes or trade secrets affecting methods or results of manufacture (§ 51.230(f) of this chapter).

(5) Springfield Department of Health:

(i) Authority to abate emissions on an emergency basis is lacking (§ 51.230(c) of this chapter).

(ii) Authority to require recordkeeping is lacking (§ 51.230(e) of this chapter).

(iii) Authority to make emission data available to the public is inadequate because section 2A-42 of the Springfield City Code requires confidential treatment of such data in certain circumstances (§ 51.230(f) of this chapter).

(c) The provisions of § 51.230(d) of this chapter are not met since statutory, authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

[37 FR 23090, Oct. 28, 1972, as amended a 39 FR 7282, Feb. 25, 1974; 51 FR 13001, Ap

17, 1986; 51 FR 40676, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

§§ 52.1326—52.1327 [Reserved]

§ 52.1328 Review of new sources or modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Missouri.

[39 FR 7282, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§§ 52.1329—52.1330 [Reserved]

§ 52.1331 Extensions.

(a) Missouri's request for a 2-year extension under § 51.340 of this chapter for the attainment of national standards for carbon monoxide in the Metropolitan St. Louis Interstate Region is not applicable since the national standards for carbon monoxide will be attained by 1975 in this region.

(b) Missouri's request for an extension until July 1, 1980, to submit plans to attain the secondary TSP and SO_2 standards is approved.

(c) Missouri's request for an extension to attain the ozone standard in the St. Louis metropolitan area to not later than December 31, 1987, is approved.

(d) Missouri's request for an extension to attain the carbon monoxide standard in the St. Louis metropolitan area to not later than December 31, 1987 is approved.

(e) Missouri's request for an extension to attain the lead standard in the vicinity of the St. Joe primary lead smelter and the AMAX primary lead smelter to not later than October 31, 1984 is approved. The St. Joe Lead Co. smelter is located in Herculaneum, Missouri, which is within the Metropolitan St. Louis Interstate AQCR, and the AMAX Lead Co. smelter is located in Boss, Missouri, which is within the Southeast Missouri Intrastate AQCR.

[37 FR 10876, May 31, 1972, as amended at 45 FR 24153, Apr. 9, 1980; 46 FR 23415, Apr. 27, 1981; 51 FR 40677, Nov. 7, 1986]

§ 52.1332 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Missouri's plans, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants
	Primary	Secondary	Primary	Secondary			
Metropolitan Kansas City Interstate	b	e	d	d	d	5/31/75	b
Southwest Missouri Intrastate	a	a	d	d	d	d	d
Southeast Missouri Intrastate	d	d	d	d	d	d	d
Northern Missouri Intrastate	a	e	d	d	d	d	d
Metropolitan St. Louis Interstate	b	e	d	d	d	c	c

NOTE: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR Part 52 (1978) § 52.1332.

Only portions of those AQCRs with attainment dates after July, 1975 have new attainment dates under the 1977 Clean Air Act Amendments. The reader is referred to 40 CFR Part 81 for identification of the designated areas under section 107(d) of the Act.

a. July 1975.
b. December 31, 1982.
c. December 31, 1987.
d. Air quality levels presently below secondary standards.
e. Secondary standard attainment date to be determined by secondary attainment plan.

[37 FR 10875, May 31, 1972, as amended at 46 FR 900, Jan. 5, 1981; 47 FR 19523, May 6, 1982]

§§ 52.1333–52.1334 [Reserved]

§ 52.1335 Compliance schedules.

(a) The compliance schedule for the source identified below is approved as a revision to the plan pursuant to § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MISSOURI

[See footnotes at end of table]

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Reyco Industries: Cupolas 7 and 8.	Springfield	(12)	May 27, 1973	Immediately	Aug. 1, 1973.
U.S. Steel (Universal Atlas Cement): Rotary cement kiln.	Hannibal	S–V, S–VIII	Jan. 23, 1974	July 31, 1974	July 31, 1974.
Kaiser Refractories: Rotary kiln	Mexico	do	Feb. 28, 1973	Jan. 18, 1974	Jan. 18, 1974.
St. Joseph Light and Power:			Jan. 23, 1974	Jan. 23, 1975	May 31, 1975.
Boiler #1	St. Joseph	(2)	do	do	Do.
Boiler #2	do	(2)	do	do	Do.
Boiler #3	One variance granted).	(2)	do	do	Do.
Boiler #4	do	(2)	do	do	Do.
Boiler #5	do	(2)	do	do	Do.
Boiler #6	do	(2)	Mar. 27, 1974	Mar. 27, 1975	June 15, 1975.
A. P. Green Refractories: Rotary calcining kiln.	Oran	S–V, S–VIII			
U.S. By-Products:			Feb. 27, 1974	Nov. 18, 1974	Nov. 18, 1974.
Aluminum turnings operation	Henrietta	(1)	do	do	Do.
Carbon waste disposal system.	do	(1)			
Aluminum-foil drag kiln operation.	do	(1)	do	do	June 6, 1974.
Harbison-Walker Refractories:			Feb. 28, 1973	Jan. 18, 1974	June 1, 1973.
Rotary dryer	Fulton	S–V, S–VIII	Feb. 27, 1974	June 30, 1974	June 30, 1974.
Rotary kiln	do	S–V, S–VIII	Aug. 23, 1972	Aug. 24, 1973	June 1, 1974.
Franklin County: Stone limestone crusher.	Pacific	(3)			
Atlas Powder Company:			Apr. 24, 1974	Immediately	July 31, 1974.
NH_4NO_3 prill—neutralizer	Joplin	S–V	do	do	Do.
Urea prill tower	do	S–V	do	do	Do.
Stengel reactor	do	S–V	do	do	Do.
Soda spray vent	do	S–V	do	do	Do.
Soda dry furnace	do	S–V	do	do	Do.
Urea desorber stripper	do	S–V	Jan. 23, 1974	Apr. 25, 1974	Oct. 31, 1974.
CPC International: Wet corn fed rotary dryers.	North Kansas City.	(4)			
Mississippi Lime, Mississippi rotary plant:			Feb. 27, 1974	Feb. 27, 1975	July 31, 1975.
Kilns #1, #2, #3, #4 and coolers.	Ste. Genevieve	(5)			
Kiln #5 cooler	do	(5)	do	do	June 30, 1975.
Kiln #6 cooler	do	(5)	do	do	Mar. 7, 1975.
Kiln #7 cooler	do	(5)	do	do	Nov. 15, 1974.
Kiln #8 cooler	do	(5)	do	do	July 12, 1974.
Peerless Rotary Plant:					
Kiln #1 cooler	do	(6)	do	do	Oct. 18, 1974.
Kiln #2 cooler	do	(6)	do	do	Dec. 27, 1974.
Kiln #3 cooler	do	(6)	do	do	Feb. 28, 1975.
Kiln #4 cooler	do	(6)	do	do	Apr. 25, 1975.
Kiln #5 cooler	do	(6)	do	do	June 27, 1975.
Kiln #6 cooler	do	(6)	do	do	July 31, 1975.
60" & 5" grinding mills	do	(6)	do	do	July 1, 1974.
Henry Worst, Inc.: Lithograph Presses.	North Kansas City.	(8)	Jan. 23, 1974	Nov. 20, 1974	Nov. 20, 1974.
Armco Steel:			Oct. 10, 1973	N/A	Feb. 1, 1974.
Scarfing operation	Kansas City	(10)	do	do	Do.
Electric furnace	do	(10)	do	do	Dec. 31, 1973.
Quisenberry Mills: Railcar unloading.	do	(11)			
Clay-Bailey Manufacturing: Cupola.	do	(9)	Apr. 18, 1974	do	July 31, 1974.

MISSOURI—Continued

[See footnotes at end of table]

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Cargill, Inc.: Roof vents	do	(10)	Dec. 19, 1973	do	Mar. 15, 1974.
Ralston Purina: Rail car unloading #6 and #7.	do	(10)	Oct. 10, 1973	N/A	May 31, 1974.
Kansas City Terminal Elevator #2: Grain handling cyclones.	do	(10)	do	do	Nov. 15, 1973.
GAF Corporation:					
Asphalt blowing	do	(10), (7)	Mar. 28, 1974	do	June 30, 1974.
Asphalt saturating	do	(10), (7)	do	do	Do.
Dry fines unloading	do	(10)	Mar. 5, 1974	do	Oct. 1, 1974.
True Temper Corp.: Heat treating process.	do	(10)	Dec. 19, 1973	do	May 18, 1974.
Metallurgical, Inc.: N-2 draw furnace.	do	(10)	Oct. 10, 1973	do	Feb. 20, 1974.
Centropolis Crusher: Rock pulverizing and drying.	do	(4)	Dec. 18, 1973	do	Sept. 5, 1974.
ADM Milling:					
20 bran grinders	North Kansas City.	(4)	Jan. 10, 1973	Jan. 10, 1974	June 15, 1972.
22 #4 screening grinders	do	(4)	do	do	Dec. 1, 1972.
18 bulgur grinder	do	(4)	do	do	Jan. 15, 1973.
27 elevator head suction	do	(4)	do	do	Apr. 1, 1973.
30 top belt suction	do	(4)	do	do	May 1, 1973.
16 A mill entoleter and break suction.	do	(4)	Jan. 23, 1974	July 1, 1974	July 1, 1974.
17 BRK suction B mill	do	(4)	do	do	Do.
19 BRK suction A mill	do	(4)	do	do	Do.
23 #8 0—millerators B mill	do	(4)	do	do	Do.
29 bottom belt suction—new.	do	(4)	do	do	Mar. 29, 1974.
28 Bottom belt suction—old	do	(4)	do	do	Do.
Bartlett and Company Grain: Missouri Pacific "B" elevator.	Kansas City	(10)	Nov. 29, 1973	N/A	Nov. 1, 1974.
Certain-Teed Products: Lime stone tank loading.	do	(10)	Dec. 26, 1973	do	July 8, 1974.
Texas Industries, Inc.: Cement Bin Loading.	do	18.87(A)[18]	June 11, 1974	Immediately	Aug. 30, 1974.
Cargill Elevator:					
No. 1 Receiver Leg Cyclone	do	18.87(A)[18]	Sept. 10, 1974	do	May 1, 1975.
Tunnel System Cyclone	do	18.87(A)[18]	do	do	Do.
Price Metals: Smelting Pots	do	18.87(A)[18]	do	do	Jan. 31, 1975.
Alpha Portland Cement: Two Clinker Coolers.	St. Louis County	Regulation IV[18]	Sept. 14, 1973	do	Do.
Kansas City Power & Light, Hawthorne Plant:					
Units 1 and 2	Kansas City	18.66B[18], 18.87A.	Nov. 19, 1973	do	Nov. 19, 1974.
Units 3, 4, and	do	18.66B[18], 18.87A.	Nov. 11, 1974	do	July 31, 1975.
City of Hannibal: Asphalt Batch Plant.	Hannibal	S-V, S-VII, S-VIII.	Aug. 21, 1974	do	Jan. 1, 1975.
Independent Stave Co.:					
Dust Handling Equipment	Lebanon	S-V, S-VII, S-VIII.	do	do	July 1, 1975.
Char Fire Stacks and Boiler	do	S-V, S-VII, S-VIII.	do	do	Do.
Armco Steel: Heat Treating Process.	Kansas City	18.87A[18]	June 3, 1974	do	Oct. 1, 1974.
Certain-Teed Products: Asphalt Heating and Blowing.	do	18.87A[18]	Apr. 22, 1974	do	Dec. 6, 1974.
Kaiser Refractories: Rotary Kiln No. 2.	Mexico	S-V, S-VII, S-VIII.	Aug. 21, 1974	do	Oct. 16, 1974.
A. P. Green Refractories: Rotary Calcining Kiln.	Mexico	S-V, S-VII, S-VIII.	do	do	May 31, 1975.
W. H. Arnold Log & Lumber Co.: Incinerator.	Hannibal	S-IV	Sept. 25, 1974	do	Do.
C-E Refractories: Rotary Dryer	Vandalia	S-V, S-VII, S-VIII.	do	do	July 1, 1975.

MISSOURI—Continued

[See footnotes at end of table]

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
Marion County Milling Co.: Alfalfa Dehydrator.	Hannibal	S–VII, S–VIII	do	do	July 31, 1975.
Missouri Power & Light: No. 5 and No. 6 Steam Generating Boilers.	Jefferson City	S–VI, S–VIII	Nov. 20, 1974	do	July 28, 1975.
National Alfalfa Dehydrating and Milling. Alfalfa Dehydrator.	Henrietta	VI	May 22, 1974	do	Apr. 30, 1975.
Allied Chemical Corp.:					
Crushers	Owensville	S–V, S–VIII	Oct. 23, 1974	do	Jan. 1, 1975.
Rotary Kiln	do	do	do	do	Do.
Rotary Cooler	do	do	do	do	Do.
Gardner-Denver, Cupola Furnaces.	LaGrange	S–V	Jan. 22, 1975	do	May 1, 1975.
CPC International, wet corn fed rotary dryers.	North Kansas City.	(8)	do	do	Apr. 3, 1975.
Empire District Electric, coal-fired boilers.	Asbury	S–VI, S–VIII	do	do	June 15, 1975.
Associated Electric Cooperative: Coalfired boiler.	New Madrid	do	May 26, 1976	do	June 15, 1977.
A. P. Green Refractories Co.: Vibrating bed clay dryer.	Mexico	S–V	do	do	Feb. 1, 1976.
St. Joseph Light & Power: Boiler No. 5.	St. Joseph	(1)	do	do	May 31, 1977.
Hercules, Inc.: Ammonium nitrate falling film evaporator.	Carthage	S–V	Aug. 31, 1976	do	July 31, 1977.
Associated Electric Cooperative—Thomas Hill unit No. 2.	Moberly	S–VI (10 CSR 10–3.060), S–VIII (10 CSR 10–3.080).	Nov. 17, 1976	do	June 1, 1979.
Farmers Chemical Co., Inc.—ammoniator-granulator process.	Joplin	S–V (10 CSR 10–3.050), S–VIII (10 CSR 10–3.080).	do	do	Jan. 15, 1978.
Pilot Knob Pelleting Co	Pilot Knob, Mo	V (10 CSR 10–3.050).	Oct. 19, 1977	do	Dec. 31, 1982.
Associated Electric Co., Thomas Hill Station, Unit No. 2.	Moberly, Mo	VI (10 CSR 10–3.060), VII (10 CSR10–3.080),.	Apr. 19, 1978	do	Dec. 31, 1979.
Union Electric Labadie power plant.	Labadie	10 CSR 10–5.090, 10 CSR 10–5.030.	June 20, 1979	July 20, 1979	Mar. 1, 1984.
Monsanto Company Queeny Plant K-Street boiler.	St. Louis	10 CSR 10–5.090.	Sept. 20, 1978	Oct. 20, 1978	Dec. 31, 1981.
River Cement Company	Jefferson County.	10 CSR 10–5.090.	June 20, 1979	July 20, 1979	June 30, 1981.
Union Electric Company	St. Louis County	10 CSR 10–5.030, 10 CSR 10–5.090.	Nov. 22, 1978	Immediately	
Meramec Power Plant:					
Units 1 and 2	do				May 15, 1981.
Units 3 and 4	do				Nov. 30, 1981.
St. Joe Lead Co	Herculaneum, Mo.	§ 203.050.1(5), RSMO1978.	Aug. 15, 1980	Immediately	Oct. 27, 1984.
AMAX Lead Co	Boss, Mo	do	do	do	Apr. 27, 1985.
ASARCO, Inc	Glover, Mo	do	do	do	Dec. 31, 1980.
St. Joe Minerals Corp., Pea Ridge Iron Ore Facility.	Washington County, Missouri.	10 CSR 10–3050.	Mar. 23, 1983	Mar. 23, 1983	Dec. 31, 1988.
St. Joe Minerals Corporation, Pea Ridge Iron Ore facility.	do	do	Apr. 22, 1981	Dec. 28, 1981	July 1, 1985.
Associated Electric Cooperative, Inc., Thomas Hill Power Plant—Unit 1..	Randolph County.	10 CSR 10–3.060 and 10 CSR 10–3.080.	June 17, 1981	Jan. 12, 1982	June 1, 1984.

MISSOURI—Continued

[See footnotes at end of table]

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
American Oil Co. (AMOCO)	Sugar Creek, Mo.	10 CSR 10-2.260.	Feb. 18, 1981	Oct. 1, 1981	June 1, 1982

[1] Regulation IV, Air Pollution Control Regulations for Kansas City metropolitan area.

[2] Chapter 2A. Article VI, Section 2A-24(a) of Springfield City Code.

[3] Regulation III & V Air Pollution Control Regulations for Kansas City metropolitan area.

[3] Regulation IX, Air Pollution Control Regulations for St. Louis metropolitan area.

[4] Regulation IV, Air Pollution Control Regulations for Kansas City metropolitan area.

[5] Regulation V & VI, Air Pollution Control Regulations for the Kansas City metropolitan area.

[6] Regulation V, Air Pollution Control Regulations for the Kansas City Metropolitan area.

[7] Section 18.86(A), Kansas City Air Pollution Control Code.

[8] Sections 18.86(A) & (C) & 18.87, Kansas City Air Pollution Control Code.

[9] Section 18.86(A)(3)(a)(i), Kansas City Air Pollution Control Code.

[10] Section 18.87(A), Kansas City Air Pollution Control Code.

[11] Sections 18.86(C)(1), & 18.87(A), Kansas City Air Pollution Control Code.

[12] Air Pollution Control Code of Kansas City, Mo.

[13] St. Louis County Air Pollution Control Code.

[14] Regulations III and IV air pollution control regulation for the Kansas City metropolitan area.

Note: Effective July 1, 1976, the State of Missouri revised the numbering system for all air pollution control regulations throughout the State. The State air regulations are now contained in title 10, division 10 of the Code of State Regulations, designated 10 CSR 10. Since this new regulatory numbering system has not been formally submitted by the State to EPA as a revision to the Missouri implementation plan, the old regulation number has been cited with a reference to the corresponding new number indicated in parentheses.

(b) The compliance schedule submitted for the source identified below is disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date adopted
Columbia Water & Light Department	Columbia	S-VI	Apr. 25, 1973.
Union Electric: Electric generating facility	Labadie	X	Mar. 28, 1974.
Do	Portage des Sioux	X	July 25, 1974.
International Multifoods Corp.: Mechanical sifters	North Kansas City	([1])	Aug. 31, 1976.
Meremac Mining Co., furnace and cooler Nos. 1 through 5.	Pea Ridge	II (10 CSR 10-3.050)	Feb. 23, 1977.
Empire District Electric Co., Power Plant	Asbury Joplin	III (10 CSR 10-3.060) V (10 CSR 10-3.080).	Apr. 27, 1977.
Missouri Portland Cement Co., clinker cooler No. 1	Sugar Creek	II (10 CSR 10-2.030) V (10 CSR 10-2.060).	June 22, 1977.
Missouri Public Service Co., Sibley powerplant, unit Nos. 1, 2, and 3.	Sibley	III (10 CSR 10-2.040).	June 26, 1977.
Tamko Asphalt Products, Inc., asphalt saturating line	Joplin	V (10 CSR 10-3.080).	July 26, 1977.
University of Missouri power plant	Columbia	10CSR 10-3.060	Feb. 21, 1979.
Noranda Aluminum, Inc	New Madrid	10 CSR 10-3.050	Feb. 23, 1977.
Associated Electric Cooperative, Inc., Units 1 and 2	do	110 CSR 10-3.060.	Apr. 18, 1979.

[1] Regulation IV, air pollution control regulations for Kansas City metropolitan area.

NOTE: X=Air Pollution Control Regulations for the St. Louis Metropolitan Area.

[39 FR 30835, Aug. 26, 1974]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1335, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§§ 52.1336—52.1337 [Reserved]

§ 52.1338 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within ten years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial areas of all municipalities (as defined in section 302(f) of the Clean Air Act. 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Kansas City Interstate Air Quality Maintenance Area (Missouri Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Cass County, Clay County, Jackson County, Platte County.

(2) St. Louis Interstate Air Quality Maintenance Area (Missouri Portion).

(i) Pollutants for which the area is identified: Particulate matter, photochemical oxidants and sulfur dioxide.

(ii) Geographical composition of area:

St. Louis City, St. Louis County, Franklin County, Jefferson County, St. Charles County.

[40 FR 41950, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1339 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into the applicable plan for the State of Missouri.

[52 FR 45138, Nov. 24, 1987]

Subpart BB—Montana

§ 52.1370 Identification of plan.

(a) Title of plan: "Implementation Plan for Control of Air Pollution in Montana."

(b) The plan was officially submitted on March 22, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Non-regulatory changes to the plan involving compliance schedules, emergency episodes, and air quality surveillance submitted May 10, 1972, by the State Department of Health.

(2) Plan revisions (Regulation 90-001, Part VI, Part VIII, Part XII) submitted June 26, 1972, by the Governor.

(3) The Governor submitted the Air Quality Maintenance Area identification to the Administrator on June 24, 1974.

(4) The Governor submitted revision to the Air Quality Maintenance Areas on January 25, 1975.

(5) Sulfur oxides control strategy and compliance schedule for the American Smelting and Refining Company submitted May 21, 1975, by the Governor.

(6) Sulfur oxides control strategy for the Billings and Laurel areas and schedule of Compliance for the Farmers Union Central Exchange (CENEX) refinery in Laurel submitted by the Governor on January 26, 1978.

(7) On May 5, September 4, and October 1, 1975, the Governor submitted revisions which amended regulations applicable to incinerators, industrial processes, storage of petroleum products, aluminum refineries, and malfunctions.

(8) On April 24, and October 4, 1979, the Governor submitted revisions for Anaconda, East Helena, and Laurel—SO_2; Billings, Butte, Columbia Falls, Colstrip, East Helena, Great Falls, and Missoula—TSP; Billings and Missoula—CO; and Yellowstone County—ozone. No action is taken with regard to the revised new source review regulation, the revised stack height regulation, or the control strategies for East Helena SO_2 and Yellowstone County ozone.

(9) On February 21, 1980 the Governor submitted a plan revision to meet

the requirements of Air Quality Monitoring, 40 CFR Part 58, Subpart C, § 58.20.

(10) On April 24, October 4, 1979, and January 7, 1980, the Governor submitted revisions to meet Part D and other sections of the Clean Air Act, as amended in 1977. No action is taken with regard to the revised stack height regulation.

(11) On April 21, 1982, and April 22, 1982, Montana submitted revisions to the open burning regulation and redesignated the Anaconda area from nonattainment to attainment for sulfur dioxide (SO_2).

(12) On January 19, 1983, Montana submitted revisions to the State Implementation Plan to meet the requirements of Part C, Subpart 1, and section 110 of the Clean Air Act.

(13) On July 20, 1982 Montana submitted revisions which amended the State's rules relating to malfunctions.

(14) Revisions to the SIP for Missoula and Billings Carbon Monoxide (CO) and Missoula Total Suspended Particulate (TSP) Attainment Plans were submitted by the Governor on August 14, 1981. A revision specifying a list of statewide source test procedures was submitted by the Governor on September 21, 1981.

(i) Incorporation by reference.

(A) Letter from Governor Ted Schwinden to EPA Region VIII Regional Administrator dated September 21, 1981, and document entitled "Montana SDHED-AQB Sampling and Analytical Procedures" as part of the SIP, adopted December 31, 1972.

(B) Missoula City Council Resolution Number 4146 approving amendments to Missoula Total Suspended Particulate and Carbon Monoxide Air Quality Attainment Plans, adopted on May 4, 1981.

(C) Missoula Board of County Commissioners Resolution number 81-73 approving changes in the Missoula TSP and CO State Implementation Plan, adopted on May 13, 1981.

(ii) Additional material.

(A) "Missoula SIP Revisions; Revision to Total Suspended Particulates Stategies and Strategy Development and Implementation for Carbon Monoxide," 1981.

(B) Certification of approval by Montana Board of Health and Environmental Sciences on May 28, 1981 of the "Transportation Control Plan" (July, 1980) prepared by Billings-Yellowstone City-County Planning Board.

(C) Billings-Yellowstone City-County Planning Board "Transportation Control Plan", July, 1980, approved on May 28, 1981.

(15) On September 29, 1983, the Governor submitted the Montana State Implementation Plan revision for lead.

(16) A revision to the East Helena nonattainment plan for sulfur dioxide (SO_2) was submitted on June 7, 1982, and supplemental information was submitted October 4, 1983.

(17) On September 21, 1981 the Governor submitted a permit which had been issued to the Western Energy Company as required in the conditional approval of the Colstrip TSP plan.

(18)-(19) [Reserved]

(20) A revision to the SIP was submitted by the Governor on August 21, 1985, for visibility monitoring and new source review.

(i) Incorporation by reference.

(A) Revision to the Montana SIP was made on July 19, 1985, for visibility new source review and monitoring.

(B) Revision to the Administrative Rules of Montana (ARM) was made on July 19, 1985, for visibility which includes new regulations ARM 16.8.1001-.1008 and revising ARM 16.8.1107(3).

[37 FR 10877, May 31, 1972, as amended at 41 FR 8962, Mar. 2, 1976; 44 FR 51977, Sept. 6, 1979; 45 FR 14043, Mar. 4, 1980; 45 FR 62984, Sept. 23, 1980; 46 FR 15686, Mar. 9, 1980; 47 FR 28373, June 30, 1982; 47 FR 30763, July 15, 1982; 48 FR 20233, May 5, 1983; 49 FR 18484, May 1, 1984; 49 FR 27944, July 9, 1984; 49 FR 28554, July 13, 1984; 50 FR 16476, Apr. 26, 1985; 51 FR 2399, Jan. 16, 1986; 51 FR 20648, June 6, 1986]

§ 52.1371 Classification of regions.

The Montana plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Billings Intrastate	II	II	III	III	III
Great Falls Intrastate	III	IA	III	III	III
Helena Intrastate	IA	IA	III	III	III
Miles City Intrastate	III	III	III	III	III
Missoula Intrastate	I	III	III	III	III

[37 FR 10877, May 31, 1972, as amended at 45 FR 14043, Mar. 4, 1980]

§ 52.1372 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Montana's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below.

[45 FR 2036, Jan. 10, 1980]

§ 52.1373 Control strategy: Sulfur oxides.

(a) *Part D—Conditional Approval*—The East Helena plan is approved provided that the following conditions are met by May 1, 1981:

(1) A field study will be performed in the vicinity of the ASARCO smelter complex which clearly demonstrates the stack height for the blast furnace stack which represents good engineering practice; and

(2) The control strategy will be amended, if necessary, to demonstrate attainment of the national standards using the good engineering practice stack height determined through the field study.

[45 FR 76688, Nov. 20, 1980]

§ 52.1374 Review of new sources an modifications.

(a) The requirements of § 51.18 o this chapter are not met because th State failed to submit a plan for th review of new or modified indirec sources.

(b) Regulation for review of new o modified indirect sources. The prov sions of § 52.22(b) are hereby incorpo rated by reference and made a part o the applicable implementation pla for the State of Montana.

[37 FR 10877, May 31, 1972]

§ 52.1375 Attainment dates for nation standards.

The following table presents th latest dates by which the nation standards are to be attained. The dates reflect the information presen ed in Montana's plan, except whe noted.

Air quality control region and nonattainment area	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Oz
	Primary	Secondary	Primary	Secondary			
Billings Intrastate:							
a. Yellowstone County	c	c	a	c	b	e	b
b. Billings	e	e	a	c	b	f	b
c. Laurel	c	c	e	e	b	b	b
d. Remainder AQCR	c	c	a	c	b	b	b
Great Falls Intrastate:							
a. Great Falls	e	e	c	c	b	e	b
b. Remainder AQCR	b	b	c	c	b	b	b
Helena Intrastate:							
a. Anaconda	b	b	h	h	b	b	b
b. East Helena	e	e	e	e	b	b	b
c. Butte	e	g	b	b	b	b	b
d. Remainder AQCR	b	b	b	b	b	b	b
Miles City Intrastate:							
a. Colstrip	e	g	b	b	b	b	b

Air quality control region and nonattainment area	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
b. Remainder AQCR	b	b	b	b	b	b	b
Missoula Intrastate:							
a. Missoula	f	f	b	b	b	f	b
b. Columbia Falls	e	e	b	b	b	b	b
c. Remainder AQCR	c	c	b	b	b	b	b

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. July 1975.
d. May 31, 1977.
e. December 31, 1982.
f. December 31, 1985.
g. Eighteen-month extension granted.
h. May 19, 1981.

NOTE: Footnotes which are italic are prescribed by the Administrator because the plans do not provide a specific date, or the date provided is not acceptable.

SOURCE: Subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remains obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.325 (1978).

[45 FR 76687, Nov. 20, 1980, as amended at 51 FR 2399, Jan. 16, 1986]

§ 52.1376 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the primary standards for sulfur oxides in the Helena Intrastate Region.

(b) The Administrator hereby extends for 18 months the statutory timetable for submission of the plan for the attainment and maintenance of the secondary standards for sulfur oxides in the Helena Intrastate Region.

(c) The Administrator hereby extends until July 1, 1980, the timetable for submitting a plan to attain and maintain the secondary particulate standard in the Butte and Colstrip nonattainment areas.

[37 FR 15085, July 27, 1972, as amended at 45 FR 14043, Mar. 4, 1980]

§ 52.1377 [Reserved]

§ 52.1378 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial nonecessary by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of

the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55331, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.1379 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since section 69-3918 of the Montana Clean Air Act could, in some circumstances prohibit the disclosure of emission data to the public. Therefore, section 69-3918 is disapproved.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1380 Control strategy: Total suspended particulates.

Part D—Conditional Approval—The Butte plan is approved provided that the following condition is met:

(a) For Butte, by February 15, 1981, the State will submit a revised airborne particulate regulation as specified in their October 4, 1979, submittal to EPA.

(b) [Reserved]

[50 FR 16476, Apr. 26, 1985]

§ 52.1381 Maintenance of national standards.

(a) The areas listed below which were identified by the State of Montana are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Anaconda-Butte Air Quality Maintenance area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Deer Lodge County, Silver Bow County.

(2) Billings Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and carbon monoxide.

(ii) Geographical composition of area:

Big Horn County; (excluding Northern Cheyenne Indian Reservation), Carbon County, Stillwater County, Sweet Grass County, Yellowstone County.

(3) Helena Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Sulfur dioxide.

(ii) Geographical composition of area:

Lewis and Clark County.

(4) Kalispell Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Flathead County, Lake County.

(5) Missoula Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and carbon monoxide.

(ii) Geographical composition of area:

Missoula County.

(6) Southeastern Montana Coal Resource Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Carter County, Custer County, Fallon County, Northern Cheyenne Indian Reservation in Bighorn County, Powder River County, Rosebud County, Treasure County.

[40 FR 23754, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1382 Prevention of significant deterioration of air quality.

(a) The Montana plan, as submitted, is approved as meeting the requirements of Part C, Subpart 1 of the Clean Air Act, except that it does not apply to sources proposing to construct on Indian Reservations.

(b) Regulation for preventing of significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated by reference and made a part of the Montana State Implementation Plan and are applicable to proposed major stationary sources or major modifications to be located on Indian Reservations.

(c) (1) Except as set forth in this paragraph, all areas of Montana are designated Class II.

(2) The Northern Cheyene Indian Reservation is designated Class I.

(3) The Flathead Indian Reservation is designated Class I.

(4) The Fort Peck Indian Reservation is designated Class I.

[42 FR 40697, Aug. 11, 1977, as amended at 47 FR 23928, June 2, 1982; 48 FR 20233, May 5, 1983; 49 FR 4735, Feb. 8, 1984]

§ 52.1383 Compliance schedules.

The compliance schedule for the source identified below is approved as meeting the requirements of § 51.15 of this chapter. All regulations cited are found in Subchapter 1, Chapter 14, Montana Administrative Code.

MONTANA

Source	Location	Date of State order	Regulations involved	Date of adoption	Effective date	Final compliance date
American Smelting and Refining Co.	East Helena	May 16, 1975	S1470(2)	May 16, 1975	Immediately	July 31, 1977.

[40 FR 43217, Sept. 19, 1975]

§ 52.1384 [Reserved]

§ 52.1385 Source surveillance.

(a) Part D—Conditional Approval—The requirements of section 110 of the Clean Air Act are not met since the State does not specify source testing procedures in many of its emission limitations. However, this section is approved provided the State submits a list of acceptable source test methods for each emission limitation by August 1, 1980.

[45 FR 62985, Sept. 23, 1980]

§ 52.1386 Malfunction regulations.

Regulation ARM 16-2, 14(1), S14000 is disapproved because it would permit the exemption of sources from the applicable emission limitations and therefore does not satisfy the enforcement imperatives of section 110 of the Clean Air Act.

[45 FR 14044, Mar. 4, 1980]

§ 52.1387 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into the applicable plan for the State of Montana.

[52 FR 45138, Nov. 24, 1987]

Subpart CC—Nebraska

§ 52.1420 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the State of Nebraska."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Request submitted by the Governor on January 24, 1972, for a two-year extension in order to meet the primary standard for NOx in the Omaha-Council Bluffs AQCR. (Non-regulatory)

(2) Clarification of section 11 of the State plan submitted on February 16, 1972 by the Nebraska Department of Environmental Control. (Non-regulatory)

(3) A confirmation that the State does not have air quality control standards based on the enclosed disapproval of the State Attorney General was submitted on April 25, 1972 by the Nebraska Department of Environmental Control. (Non-regulatory)

(4) Revision of Rules 3 through 18 and Rule 21 and 22 submitted on June 9, 1972, by the Governor.

(5) Amendments to the Omaha Air Pollution Control Ordinance 26350 submitted on June 29, 1972, by the Governor.

(6) Letters submitted September 26 and 27, 1972, from the State Department of Environmental Control revising Rule 3 and Rule 5 of the State Rules and Regulations.

(7) Letters clarifying the application of the State emergency episode, rule 22(a), submitted October 2, 1972, by the State Department of Environmental Control. (Non-regulatory).

(8) Revision of the State air regulations to expand emission limitations to apply State-wide, change procedures for preconstruction review of new sources, change procedures for disapproving construction permits for new or modified sources and add new sulfur oxide emission standards was submitted on February 27, 1974, by the Nebraska Department of Environmental Control.

(9) Copy of the State's analysis of ambient air quality in Standard Metropolitan Statistical Areas in the State and recommendations for designation of Air Quality Maintenance Areas submitted by the Department of Environmental Control on May 9, 1974. (Non-regulatory)

(10) Compliance schedules were submitted by the Department of Environmental Control on September 13, 1974.

(11) Compliance schedules were submitted by the Department of Environmental Control on February 21, 1975.

(12) Compliance schedules were submitted by the Department of Environmental Control on May 23, 1975.

(13) Revision of regulations to include the second group of New Source Performance Standards and provide for granting of post-attainment variances and releasing of emission data was submitted on August 5, 1975, by the Governor.

(14) Compliance schedules were submitted by the Governor on August 27, 1975.

(15) Compliance schedules were submitted by the Governor on January 1, 1976.

(16) Compliance schedules were submitted by the Department of Environmental Control on January 15, 1976.

(17) Amended State law (LB1029) giving the Department of Environmental Control authority to require monitoring of emissions, require reporting of emissions and release emission data was submitted by the Governor on February 10, 1976.

(18) Compliance schedules were submitted by the Governor on April 23, 1976.

(19) Compliance schedules were submitted by the Governor on October 27, 1976.

(20) Revised Rule 17, requiring continuous opacity monitoring by power plants, was submitted on November 2, 1976, by the Governor.

(21) A plan revision to meet the requirements of 40 CFR 58.20, dealing with statewide air quality monitoring and data reporting, was submitted by the Governor on June 19, 1981.

(22) Revised Rule 13, granting an increase in the visible emission limitations for existing teepee waste wood burners and alfalfa dehydrators, was submitted by the Governor on December 29, 1977.

(23) Revision to the SIP concerning the adoption of the Lancaster County Air Pollution Control Resolution was submitted by the governor on April 4, 1977.

(24) Revision to the SIP concerning the adoption of the revised local air pollution control ordinances for the cities of Omaha and Lincoln was submitted by the governor on December 27, 1977.

(25) State plan revisions and corrections thereto to attain the National Ambient Air Quality Standards for total suspended particulate in Douglas and Cass Counties, designated as nonattainment under section 107 of the Clean Air Act Amendments of 1977, were submitted by the Governor on September 25, 1980, and on August 9, 1982. Included in the plan are revised Rule 6, and new Rule 5A.

(26) New Rule 18, "Compliance; Exceptions Due to Startup, Shutdown, or Malfunction," was submitted by the Governor on August 9, 1982.

(27) A plan revision to provide for Intergovernmental Consultation and Coordination and for Public Notification was submitted to EPA by the Governor of Nebraska on August 9, 1982.

(28) A plan revision for attaining and maintaining the National Ambient Air Quality Standard for Lead in the State of Nebraska was submitted to EPA on January 9, 1981, by the Governor. Additional material was submitted by the State on August 5, 1981 and January 11, 1983. All portions of the submittals are approved except the control strategy for Omaha and the request for a two year extension to attain the lead standard in Omaha.

(29) Revisions to Rule 1 "Definitions," and to Rule 4, "New and Complex Sources; Standards of Performance, Application for Permit, When Required;" and a new regulation: Rule 4.01, "Prevention of Significant Deterioration of Air Quality," were submitted by the Governor on May 23, 1983; clarifying letter dated May 30, 1984.

(30) On July 24, 1984, Nebraska submitted a lead SIP for Omaha. Additional portions of the Omaha lead SIP were submitted by the State on November 17, 1983, and August 1, 1984. EPA withheld action on the enforceable control measures contained in the Omaha lead SIP, but approved all other portions.

(31) Revisions to Chapter 10 "Incinerators; Emission Standards;" Chapter 12 "Sulfur Compound Emissions; Emission Standards;" Chapter 14 "Open Fires, Prohibited; Exceptions;" and Chapter 20 "Emission Sources; Testing; Monitoring" were submitted by the Governor on October 6, 1983.

(32) Revisions to Chapter 1, "Definitions"; Chapter 4, "Reporting and Operating Permits for Existing Sources; When Required"; and Chapter 5, "New, Modified, and Reconstructed Sources; Standards of Performance, Application for Permit, When Required", were submitted by the Governor on October 6, 1983. These revisions deleted the review requirements for complex sources of air pollution for the entire State. These review requirements were adopted by the State on February 22, 1974 (submitted on February 27, 1974) and were approved by EPA on September 9, 1975. See paragraph (c)(8) above. Approval action was taken on the deletion of these requirements except as they pertain to the Lincoln and Omaha CO nonattainment areas.

(33) A State Implementation Plan revision to provide for attainment of the carbon monoxide standard in Omaha was submitted by Governor Kerrey on April 3, 1985. Action was also taken to delete review requirements for complex sources of air pollution in Omaha; see paragraph (c)(32) of this section.

(i) Incorporation by reference.

(A) An RFP curve from page 27 of the Carbon Monoxide State Implementation Plan for Omaha, Nebraska, dated January 18, 1985.

(ii) Additional material.

(A) Narrative submittal entitled "Carbon Monoxide State Implementation Plan for Omaha, Nebraska", including an attainment demonstration.

(B) Emission Inventory for carbon monoxide sources.

(34) A State Implementation Plan revision to provide for attainment of the carbon monoxide standard in Lincoln was submitted by Governor Kerrey on April 3, 1985. Action was also taken to delete review requirements for complex sources of air pollution in Lincoln; see paragraph (c)(32) of this section.

(i) Incorporation by reference.

(A) An RFP table from page 18 of the State Implementation Plan Revision for Carbon Monoxide for Lincoln, Nebraska, adopted on March 1, 1985.

(ii) Additional material.

(A) Narrative submittal entitled, "State Implementation Plan Revision for Carbon Monoxide for Lincoln, Nebraska", including an attainment demonstration.

(B) Emission Inventory for carbon monoxide sources.

(35) On February 2, 1987, Nebraska submitted revisions to the lead SIP for Omaha. The revisions contained a revised demonstration of attainment of the lead standard in Omaha, a revised control strategy to provide the lead emission reductions claimed in the demonstration of attainment, and Administrative Order No. 753 dated August 22, 1985, as amended by Amended Administrative Order No. 753 dated May 9, 1986, and by Second Amended Administrative Order No. 753 dated November 12, 1986. All items in the revisions were approved.

(i) Incorporation by reference.

(A) Administrative Order 753 dated August 22, 1985, issued by the Nebraska Department of Environmental Control to ASARCO Incorporated.

(B) Amended Administrative Order 753 dated May 9, 1986, issued by the Nebraska Department of Environmental Control to ASARCO Incorporated.

(C) Second Amended Administrative Order 753 dated November 12, 1986, issued by the Nebraska Department of Environmental Control to ASARCO Incorporated.

(ii) Additional material.

(A) 1986 Revised Demonstration of Attainment and Control Measures for the Nebraska State Implementation Plan for Lead—Omaha, submitted by ASARCO Incorporated, October 3, 1986.

[37 FR 10877, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1420, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1421 Classification of regions.

The Nebraska plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Omaha-Council Bluffs Interstate	I	II	III	III	III
Lincoln-Beatrice-Fairbury Intrastate	II	III	III	III	III
Metropolitan Sioux City Interstate	III	III	III	III	III
Nebraska Intrastate	III	III	III	III	III

[37 FR 10877, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.1422 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Nebraska's plan for the attainment and maintenance of the national standards. No action is taken on the new source review regulations to comply with section 172(b)(6) and section 173 of the Clean Air Act as amended in 1977, and 40 CFR 51.18(j).

[37 FR 10877, May 31, 1972, as amended at 48 FR 12717, Mar. 28, 1983]

§§ 52.1423—52.1424 [Reserved]

§ 52.1425 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as revisions to the plan pursuant to § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

NEBRASKA—COMPLIANCE SCHEDULES

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
Allied Mills, Inc.: 3 drums and 2 hammermills.	Elm Creek plant	Rules 5, 13	Aug. 22, 1974	May 1, 1976	May 1, 1976.
Cominco American, Inc.: Nitric acid absorption tower.	Beatrice	Rule 10	do	July 31, 1976	July 31, 1976.
Dobson Bros. Construction Co.: Portable asphalt plant.	Outstate	Rule 5	do	May 1, 1976	May 1, 1976.
Beerman Bros. Dehydrating: Dryers and hammermill.	Dakota City	do	do	do	Do.
Behrens Blacktop: B/G 845 asphalt plant.	Beatrice	do	do	July 31, 1976	July 31, 1976.
W. A. Biba Engineering:					
(a) Asphalt plant—Model G-80.	Geneva	Rule 13	do	June 25, 1976	June 25, 1976.
(b) Asphalt plant—Model G-40.	do	Rule 5	do	do	Do.
Board of Public Utilities Power Plant No. 1: Boilers Nos. 4 and 5.	Fremont	Rule 6	do	June 1, 1976	June 1, 1967.
Bram, Inc.: Drum and hammermill.	Arlington	Rule 5	do	July 31, 1976	July 31, 1976.
CF Industries, Inc.: Nitric acid plant.	Fremont	Rule 10	do	do	Do.
Consolidated Blenders, Inc.: Drum and hammermill.	Arlington	Rule 5	do	June 1, 1976	June 1, 1976.
Consolidated Blenders, Inc.: Old plant drums and hammermills.	Gothenburg	do	do	do	Do.
Consolidated Blenders, Inc.: Drum and hammermill.	Lexington	do	do	do	Do.
Consolidated Blenders, Inc.: Drums and hammermills.	Loomis	do	do	do	Do.
Consolidated Blenders, Inc.: Drum and hammermill.	Mead East	do	do	do	Do.
Consolidated Blenders, Inc.: Drums and hammermills.	Schuyler	do	do	do	Do.
Consolidated Blenders, Inc.: Drum and hammermills.	Wausa	do	do	do	Do.
Consolidated Blenders, Inc.: Drums and hammermill.	Wood River	do	do	do	Do.
Do	York	do	do	do	Do.
Dawson County Feed Products, Inc. Drum and hammermill.	Brule	do	do	June 30, 1976	June 30, 1976.
Dudden Alfalfa Farms, Inc.: Drum and hammermills.	Venango	do	do	May 15, 1976	May 15, 1976.
Edison Dehy. Co., Inc.: Drums and hammermills.	Edison	do	do	July 31, 1976	July 31, 1976.
J. L. Healy Construction Co: Portable asphalt plant No. 606.	Outstate	do	do	do	Do.
J. L. Healy Construction Co.: Portable asphalt Plant No. 692.	do	do	do	do	Do.
Hillside Dehy. Inc.: Drums and hammermill.	Vehling	do	do	May 5, 1976	May 5, 1976.
Land O'Lakes, Inc.: Drums and hammermill.	David City	do	do	July 24, 1976	July 24, 1976
Do	West Point	do	do	July 3, 1976	July 3, 1976.
Loup Valley Alfalfa, Inc.: Drum and hammermill.	Burwell	Rule 13	do	June 30, 1976	June 30, 1976.
Magnus Metal Division: Reverberatory furnaces.	Fremont	do	do	July 1, 1976	July 1, 1976.
Missouri Valley Construction Co. Asphalt concrete plant.	do	Rule 5	do	June 30, 1976	June 30, 1976.
Missouri Valley Construction Co.: Asphalt plant (B/G Model 845).	Columbus	do	do	do	Do.
Missouri Valley Construction Co.: Asphalt plant (B/G Model 848).	Norfolk	Rule 5	Aug. 22, 1974	June 30, 1976	June 30, 1976.
Missouri Valley Construction Co.: Portable asphalt plant.	Grand Island	do	do	do	Do.
Do	McCook	do	do	do	Do.

NEBRASKA—COMPLIANCE SCHEDULES—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
Morrison & Quirk, Inc.: Drum and hammermill.	Lyons	do	do	July 31, 1976	July 31, 1976.
Do	Oakland	do	do	do	Do.
Do	Pender	do	do	do	Do.
North Bend Alfalfa, Inc.: Drums and hammermills.	North Bend	do	do	Jan. 15, 1976	Jan. 15, 1976.
Shofstall, Inc.: Drums and hammermills.	Odessa	do	do	July 1, 1976	July 1, 1976.
Table Rock Lumber Co.: Incinerator.	Table Rock	Rule 7	do	July 31, 1976	July 31, 1976.
Western Alfalfa Corp.: Drums and hammermill.	Cozad	Rules 5 and 13	do	do	Do.
Western Alfalfa Corp.: Drums and hammermills.	Elm Creek	do	do	do	Do.
Do	Kearney	do	do	do	Do.
Gothenburg Feed Products Co.: Drum and hammermill.	Willow Island	Rule 5	Jan. 14, 1975	July 1, 1976	July 1, 1976.
Sargent Alfalfa Products, Inc.: Drums and hammermill.	Sargent	Rule 13	do	July 15, 1976	July 15, 1976.
Transco Feed Products, Inc.: Drums and hammermills.	Nickerson	Rule 5	May 6, 1975	May 1, 1976	May 1, 1976.
Kaw Dehydrating Co., Inc.:					
Drums 1 and 2, hammermills.	Brady	do	do	June 1, 1976	June 1, 1976.
8 by 24 Heil dryer	do	do	do	do	Do.
Henna & Lamb Milling Co.: Drums and hammermills.	Gothenburg	do	do	July 1, 1976	July 1, 1976.
Central Alfalfa, Inc.:					
8 by 24 Heil dryer	Josselyn plant	do	do	July 31, 1976	July 31, 1976.
12 by 42 MEC dryer	do	do	do	do	Do.
Cedar Bluffs Dehydrating: 2 drums and 3 hammermills.	Cedar Bluffs	do	do	May 28, 1976	May 28, 1976.
Albers Dehydrating Co.: Drums 1 and a and hammermill.	Wisner	do	do	July 1, 1976	July 1, 1976.
Central Alfalfa, Inc.: Drums and hammermills.	Lexington	do	do	July 31, 1976	July 31, 1976.
Coleridge Dehydrating, Inc.: Drums and hammermills.	Coleridge	do	do	July 1, 1976	July 1, 1976.
Ebel Alfalfa Co., Inc.: Drum and hammermill.	Scribner	do	do	do	Do.
Fox Grain Co. (Division of Scoular-Bishop).	Gibbon	Rule 14	do	June 15, 1976	June 15, 1976.
Endicott Clay Products Co.: Lingltunnel kiln.	Fairbury	Rule 13	Sept. 2, 1975	July 31, 1976	July 31, 1976.
Iowa Beef Processors, Inc.: Raymond dryers.	Dakota City	do	do	do	Do.
Island Dehydrating, Inc.: Drums and hammermills.	Cozad	Rule 5	do	June 1, 1976	June 1, 1976.
Progressive Livestock & Feed, Inc.: Drum and hammermill.	Bertrand	do	do	July 1, 1976	July 1, 1976.
Progressive Products Co., Inc	Overton	do	do	do	Do.
Mid-America Dairymen: Spray dryer.	Norfolk	do	Jan. 6, 1976	July 31, 1976	July 31, 1976.
Do	Superior	do	do	do	Do.
Consolidated Blenders, Inc.: Drum and hammermill.	Mead West	do	do	do	Do.
Consolidated Blenders: Drum and hammermill.	Darr East	do	do	do	Do.
Consolidated Blenders: New plant-drum and hammermill.	Gothenburg	do	do	do	Do.
Consolidated Blenders: Drum and hammermill.	Grand Island	do	do	do	Do.
Do	Ord	do	do	do	Do.
Do	Stanton	do	do	do	Do.
Cozad Alfalfa, Inc.: Drum and hammermill.	Cozad	Rule 5	Jan. 6, 1976	July 1, 1976	July 1, 1976.
Kearney Alfalfa Mills, Inc.: Drums and hammermills.	Kearney	do	do	May 30, 1976	May 30, 1976.

NEBRASKA—COMPLIANCE SCHEDULES—Continued

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
Orleans Milling Co., Inc.: Drum and hammermill.	Orleans	......do	......do	......do	Do.
Ideal Cement Co.: Wet process cement, kilns.	Superior	Rule 5, 13	July 24, 1975	Jan. 15, 1977	Jan. 15, 1977.
City of Fremont, Board of Public Works, Lon D. Wright Power-plant: Units 6, 7.	Fremont	Rule 6	......do	Feb. 1, 1977	Feb. 1, 1977.
Consolidated Blenders, Inc.:					
2 drums, meal system, palletizing.	Aurora	Rule 5	Mar. 25, 1976	May 1, 1977	May 1, 1977.
Do	Shelton	......do	......do	......do	Do.
Do	Gibbon	......do	......do	......do	Do.
Do	Minden	......do	......do	......do	Do.
Do	Odessa	......do	......do	......do	Do.
Do	Cambridge	......do	......do	......do	Do.
Land O'Lakes, Inc., Al-Fa-Meal Div.:					
2 drum, meal system, pelletizing.	Monroe	......do	......do	July 17, 1977	July 17, 1977.
Do	Central City	......do	......do	July 16, 1977	July 16, 1977.
Cominco American: Nitric acid plant.	Beatrice	Rule 10	May 14, 1976	Dec. 31, 1976	Dec. 31, 1976.
Dawson County Feed, Products, Inc. Drum, meal system, pelletizing.	Lexington	Rule 5	June 16, 1976	May 1, 1977	May 1, 1977.
Endicott Clay Products Co	Fairbury				
Tunnel kiln		Rule 13	Sept. 10, 1976	July 1, 1977	July 1, 1977.
Con Agra, Inc	Fremont				
Cyclone on head house and cyclone-venting leg No. 2, west end of elevator.		Rule 13	Sept. 10, 1976	May 21, 1977	May 21, 1977.
ASARCO, Inc	Omaha, NE	Nebraska DEC Second Amended Administrative Order No. 753.	Nov. 12, 1986	Not applicable	Feb. 1, 1988

[41 FR 22350, June 3, 1976, as amended at 41 FR 52456, Nov. 30, 1976; 42 FR 16140, Mar. 25, 1977; 50 FR 4512, Jan. 31, 1985; 51 FR 40675, 40676, Nov. 7, 1986; 52 FR 28696, Aug. 3, 1987]

§ 52.1426 Extensions.

(a) Nebraska's request for extensions until July 1, 1980, to submit plans to attain the secondary TSP standard in Douglas, Sarpy, and Cass Counties is denied.

[48 FR 12717, Mar. 28, 1983]

§§ 52.1427—52.1430 [Reserved]

§ 52.1431 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Nebraska's plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)	Lead
	Primary	Secondary	Primary	Secondary				
Metropolitan Omaha-Council Bluffs Interstate.	d	d	b	*a*	c	c	c	
Lincoln-Beatrice-Fairbury Interstate.	b	*a*	c	c	c	c	c	
Metropolitan Sioux City Interstate.	c	c	c	c	c	c	c	
Nebraska Intrastate	d	d	c	c	c	c	c	

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan does not provide a specific date.

a. July 1975.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.
e. February 1, 1988.

NOTE: 2. Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1431.

Only portions of those AQCRs with attainment dates after July 1975 have new attainment dates under the 1977 Clean Air Act Amendments. The reader is referred to 40 CFR Part 81 for identification of the designated areas under section 107(d) of the Act.

[37 FR 10877, May 31, 1972, as amended at 38 FR 12702, May 14, 1973; 39 FR 16347, May 8, 1974; 40 FR 41779, Sept. 2, 1975; 48 FR 12717, Mar. 28, 1983; 52 FR 28696, Aug. 3, 1987]

§§ 52.1432—52.1434 [Reserved]

§ 52.1435 Maintenance of national standards.

(a) The area listed below is hereby identified by the Administrator pursuant to § 51.12 (e) and (f), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified area consists of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Omaha-Council Bluffs Interstate Air Quality Maintenance Area (Nebraska Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of the area:

Douglas County, Sarpy County.

[40 FR 23755, June 2, 1975]

§ 52.1436 Significant deterioration of air quality.

The requirements of sections 160 through 165 of the Clean Air Act are met except as noted below.

EPA is retaining § 52.21 (b) through (w) as part of the Nebraska SIP for the following types of sources:

(a) Sources proposing to construct on Indian lands in Nebraska; and,

(b) Enforcement of permits issued by EPA prior to the July 28, 1983, delegation of authority to Nebraska.

[49 FR 29599, July 23, 1984]

Subpart DD—Nevada

§ 52.1470 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the State of Nevada."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Errata sheet to the plan was submitted on April 26, 1972, by the Division of Health.

(2) Washoe County regulations submitted on June 12, 1972, by the Governor.

(3) Compliance schedules submitted on July 14, 1972, by the Governor.

(4) Legal opinions concerning the plan submitted on November 17, 1972, by the Office of the Attorney General.

(5) Amended Clark County regulations submitted on January 19, 1973, by the Governor.

(6) Amendments to the Nevada Air Quality Regulations NAQR to regulate construction of complex sources (Article 13) submitted on April 1, 1974, by the Governor.

(7) Amendments to the NAQR to regulate sulfur emissions from nonferrous smelters; (Article 8.1); to regulate and monitor visible emissions from stationary sources (Article 4); and to allow supplementary control systems (Article 14); submitted on June 14, 1974, by the Governor.

(8) Amendments to the NAQR to regulate open burning (Article 5.2.3 and 5.2.4), and to regulate the construction of complex sources (Article 13), submitted on November 12, 1974, by the Governor.

(9) Administrative procedures for the review of complex sources submitted on December 11, 1974, by the Governor's representative.

(10) Amendments to the Nevade Revised Statutes (NRS) (1975 Legislative Session) on motor vehicle inspection and testing (NRS 445.640, 445.700, 482.640 and 169.125), public availability of emission data (NRS 445.576), organization (NRC 445.481 and 481.——). (Section 1 of 1975 Assembly Bill 326), stack testing (NRS 445.447), and alleged violations (NRS 445.526) submitted on September 10, 1975 by the Governor.

(11) Amendments to the NAQR, as amended through September 18, 1975, submitted on October 31, 1975, by the Governor, as follows:

Article 1—Definitions: 1.6-1.13, 1.15-1.33, 1.35-1.69;

Article 2—General Provisions: 2.4.1-2.4.4, 2.5.1, 2.5.2, 2.5.4, 2.6.1-2.6.4, 2.7.1, 2.8.1, 2.8.4, 2.8.5.1, 2.9.1-2.9.3, 2.9.5-2.9.7, 2.10.1.2, 2.10.2-2.10.4, 2.11.4.2;

Article 3—Registration Certificates and Operating Permits: 3.1.3, 3.1.5, 3.1.6, 3.1.8a & d-i, 3.1.9, 3.2.2-3.2.6, 3.3.2, 3.3.5, 3.4.1, 3.4.6-3.4.14;

Article 4—Visible Emissions From Stationary Sources: 4.1, 4.2, 4.3.5, 4.4-4.4.2;

Article 5—Open Burning: 5.2.3, 5.2.4;

Article 6—Incinerator Burning: 6.3-6.6.2;

Article 7—Particulate Matter: 7.1.3, 7.2.1-7.2.3, 7.3.1-7.3.3;

Article 8—Sulfur Emissions: 8.1.1, 8.1.2, 8.1.4, 8.2.2.1, 8.3-8.4;

Article 9—Organic Solvent, Other Volatile Compounds: 9.1, 9.2-9.2.1.1, 9.2.2, 9.2.3;

Article 10—Odors: 10.2.1.1, 10.2.1.2;

Article 11—Mobile Equipment: 11.3-11.7.1, 11.7.4-11.7.5, 11.10, 11.10.1, 11.11-11.14.17.

(12) Amendments to miscellaneous Nevada air quality control regulations and to other sections of the State plan submitted on December 10, 1976, by the Governor, as follows:

Article 1—Definitions: 1.1-1.213;

Article 2—General Provisions: 2.5.3, 2.6.2 2.6.9, 2.7.1-2.7.4, 2.8.5.2, 2.16, 2.17;

Article 3—Registration Certificates and Operating Permits, 3.1.9.1, 3.2.1;

Article 7—Particulata Matter: 7.2.4;

Article 8—Sulfur Emissions: 8.2.2-8.2.4;

Article 11—Mobile Equipment: 11.7.6, 11.8, 11.9, 11.10.2;

Section 3—Air quality data: 3.2;

Section 4—Emissions summary: 4.2;

Section 5—Control strategy: 5.1, table 5.1, table 5.2;

Section 10—Air quality surveillance network: Monitoring network table, sampling sites modification table.

(13) Amendments to the NAQR and the control strategy submitted on October 7, 1976, by the Governor.

(i) Article 7—Particulate Matter: 7.2.7; Table 4.2—Emissions Inventory Summary for Particulates.

Table 5.2—Summary of Control Strategy Analysis for Particulates.

(14) The following amendments to the plan were submitted on December 29, 1978, by the Governor.

(i) Nevada State Emergency Episode Plan Sections: 6.1.4, 6.1.5, 6.5.2.2; Tables: 6.1, 6.2 (Stages 1, 2, and 3), 6.3; Air Pollution Episode Notice; Episode Communication Checklist.

(ii) Nevada Revised Statutes Policy Declarations; Definitions:

445.401, 445.406, 445.411, 445.416, 445.421, 445.424, 445.427, 445.431, 445.441, 445.446; State Environmental Commission: 445.451, 445.456, 445.461, 445.466, 445.471, 445.472, 445.473, 445.474, 445.476; Local Hearing Boards: 445.486; Enforcement Provisions: 445.491, 445.496, 445.497, 445.498, 445.499, 445.501; Variances: 445.506, 445.511, 445.516, 445.521; Hearings, Orders Respecting Violations: 445.529; Local Air Pollution Control Programs: 445.546, 445.551, 445.556, 445.561, 445.566; Miscellaneous Provisions: 445.571, 445.581, 445.586, 445.596, 445.598; Penalties: 445.601; Deletions: Senate Bill 275, Sections 8.5, 17(1-4, 6, 7), 27, 38.

(iii) Nonattainment area plans for Mason Valley/Fernley Area, Lander County, Carson Desert, Winnemucca Segment, Truckee Meadows, and Las Vegas Valley.

(iv) Nevada Revised Statutes, Engine Emission Controls:

445.610, 445.620, 445.625, 445.630, 445.640, 445.650, 445.660, 445.670, 445.680, 445.690, 445.700, 445.705, and 445.710.

(v) Nevada Air Quality Regulations for Mobile Equipment:

Article 1—Sections 1.1 to 1.38; Article 2—Sections 2.1 to 2.2; Article 3—Sections 3.1 to 3.14.6; and Article 4—Sections 4.1 to 4.20.

(vi) Nevada Revised Statute 445.493, Limitations on Enforcement of Regulations as to Indirect Sources and Authority to Review New Indirect Sources.

(vii) Amendments to the Nevada Air Quality Regulations:

Article 1, Rules 1.44, 1.53, 1.60, 1.98.1; Article 2, Rules 2.2.2, 2.11.7, 2.17.3.2 a/b, 2.17.4, 2.17.4.1, 2.17.9.8, 2.17.10, 2.17.10.1; Article 3, Rules 3.1.1, 3.1.2, 3.1.3, 3.4.11; Article 4, Rule 4.3.[6]4; Article 5, Rule 5.2.4; Article 6, Rule 6.3; Article 7 Rules 7.1.[3]2, 7.3.3; Article 8, Rules 8.2.1.1, 8.2.1.2, 8.2.2, and Article 12, Rule 12.1.

(viii) Amendments to the Nevada Air Quality Regulations:

Article 1; Article 7, Rules 7.2.8.1—7.2.8.3; Article 16, Rules 16.3.1.2—16.3.3 and Rules 16.15.1—16.15.4.

(15) Redesignation of the Clark-Mohave Interstate AQCR submitted on March 23, 1979, by the Governor.

(16) The following amendments to the plan were submitted on July 24, 1979, by the Governor.

(i) Amendments to the Nevada Air Quality Regulations:

Article I—Definition: No. 2—LAER.

(ii) Amendments to the Clark County District Board of Health Air Pollution Control Regulations:

Section 15—Source Registration, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 15.10, 15.11, and 15.12; Section 50—Storage of Petroleum Products; Section 51—Petroleum Product Loading into Tank Trucks, and Trailers; and Section 52—Handling of Gasoline at Service Stations, Airports and Storage Tanks.

(iii) Amendments to the Washoe County District Board of Health Air Pollution Control Regulations:

Definitions, Sections 010.011, 010.014, 010.028, 010.057, 010.059, 010.071, 010.072, 010.091, 010.106, 010.107B, 010.108, 010.116, 010.117, 010.136, 010.148, 010.149, 010.151, 010.166, 010.197, and 010.1751; Source Registration and Operation, Sections 030.000, 030.005, 030.010, 030.015, 030.025, 030.030, 030.110, 030.115 (1 and 5)B, 030.120, 030.1201, 030.205, 030.210, 030.215, 030.245, and 030.250; Section 040.070—Storage of Petroleum Products; Section 040.075—Gasoline Loading into Tank Trucks and Trailers; Section 040.080—Gasoline Unloading from Tank Trucks and Trailers into Storage Tanks; Section 040.085—Organic Solvents; and Section 040.090—Cut-Back Asphalt.

(iv) Paving schedules for the following Nonattainment Area Plans: Mason Valley/Fernley Area, Carson Desert, Winnemucca Segment, and Lander County.

(v) Amendments to the Las Vegas Valley Nonattainment Area Plan: Two memoranda of understanding between Clark County, the Health District, and the Transportation Policy Committee.

(vi) Nevada Revised Statutes, Engine Emission Control: 445.632, 445.634, 445.635, and 445.644.

(vii) Lake Tahoe Basin Nonattainment Area Plan.

(viii) Amendments to the Clark County District Board of Health Air Pollution Control Regulations:

Section 2, Rules 2.1, 2.2, 2.3; Section 3, Rule 3.1; Section 4, Rules 4.1—4.11; Section 5, Rule 5.1; Section 6, Rule 6.1; Section 7, Rules 7.1—7.19; Section 8, Rules 8.1, 8.2, 8.7 (deletion); Section 9, Rules 9.1—9.3; Section 10; Section 16, Rules 16.1,—16.5, 16.6 (Operating Permits), 16.6 (Emission of Visible Air Contaminants) (deletion), 16.7—16.9; Section 17, Rules 17.1.—17.8; Section 18, Rules 18.1—18.12; Section 23, Rules 23.1—23.5; Section 24, Rules 24.1—24.5; Section 25, Rules 25.1, 25.2, 25.4 (deletion); Section 26, Rules 26.1—26.3; Section 27, Rules 27.1, 27.2, 27.3, 27.4; Section 28, Rules 28.1, 28.2; Section 29; Section 30, Rules 30.1—30.7; Section 31; Section 32, Rules 32.1, 32.2; Section 40, Rule 40.1; Section 41, Rules 41.1—41.4; Section 42, Rules 42.1—42.4; Section 43, Rule 43.1; Section 70, Rules 70.1—70.6; Sections 80, and 81.

EDITORIAL NOTE: At 47 FR 27071, June 23, 1982, the following paragraph (c)(16)(viii) was added to § 52.1470. This paragraph will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(viii) Repeal and removal of all references to Indirect (Complex) Sources in the following rules or portions of rules in the Nevada Air Quality Regulations.

Article 1—Definitions: 1.12, 1.95, 1.147(b), and 1.202. Article 2—Registration Certificates and Operating Permits: 3.1.9, 3.2.1, 3.2.2, and 3.2.5. Article 13—Point Sources: 13.1.1, 13.1.2, 13.2, and 13.2.1 to 13.5.3.

(ix) Amendments to the Washoe County District Board of Health Air Pollution Control Regulations:

Sections 020.055, 030.300, 030.305, 030.310, 030.3101-030.3105, 030.3107, and 030.3108 and the following deletions: 010.115, 050.005, 050.010, 050.015, 050.020, 050.025, 050.030, and 050.035.

(x) Amendments to the Nevada Air Quality Regulations: Article 12, Lead (Pb).

(17) The following amendments to the plan were submitted on September 18, 1979, by the Governor.

(i) Amendments to the Clark County District Board of Health Air Pollution Control Regulations:

Section 1—Definitions (except 1.14, 1.15, 1.79, and 1.94); Section 15.14—Source Registration Requirements for Areas Exceeding Air Quality Standards; and Section 60--Evaporation and Leakage.

(ii) Amendments to the Clark County District Board of Health Air Pollution Control Regulations:

Section 1, Rules 1.79, 1.94; Section 11, Rules 11.1, 11.1.1-11.1.8, 11.2, 11.2.1-11.2.3, 11.3, 11.3.1, 11.3.2, 11.4, and Section 13, Rule 13.5 (deletion).

(18) Amendments to the Nevada Air Quality Regulations submitted on March 17, 1980, by the Governor.

(i) Article 13.1.3—Point Sources and Registration Certificates.

(19) The following amendments to the plan were submitted on June 24, 1980, by the Governor.

(i) Section 10—State of Nevada Ambient Air Quality Monitoring and Surveillance.

(ii) Amendment to the Nevada Air Quality Regulations: Article 4, Rule 4.3.6.

(iii) Clark County, Nevada Lead SIP.

(20) The following amendment to the plan was submitted on August 19, 1980 by the Governor.

(i) Request for Extension of the Carbon Monoxide Attainment Date for the Truckee Meadows Nonattainment Area.

(21) The following amendments to the plan were submitted on October 13, 1980, by the Governor.

(i) Amendments to the Nevada Revised Statutes: 704.820 through 704.900 (Utility Environmental Protection Act).

(ii) Rule 25, of General Order No. 3, Nevada Public Service Commission.

(22) The following amendments to the plan were submitted on November 5, 1980, by the Governor.

(i) Amendments to the Clark County District Board of Health Air Pollution Control Regulations: Section 4, Rules 4.12, 4.12.1-4.12.3.

(ii) Amendments to the Nevada Air Quality Regulations: Article 7, Rules 7.2.5, 7.2.5.1, 7.2.9; and Article 8, Rule 8.3.4.

(23) The following amendments to the plan were submitted on March 4, 1981, by the Governor:

(i) Las Vegas Valley Air Quality Implementation Plan (excluding Clark County Air Pollution Control Regulations).

(24) The following amendments to the plan were submitted on November 17, 1981 by the Governor.

(i) Amendments to the Nevada Air Quality Regulations: Article 14.1.

(ii) Resolution of the Washoe Council of Governments adopted August 28, 1981 and Endorsement of the State Environmental Commission dated October 15, 1981.

(iii) Amendments to the Clark County District Board of Health Air Pollution Control Regulations:

Section 1—Definitions 1.7, 1.13, 1.14, 1.15, 1.32, 1.48, 1.50, 1.52, 1.57, 1.67, 1.72, 1.90 and the addition of the following unnumbered definitions: "Emission Unit," "Criteria Pollutant," "Non-Criteria Pollutant," "Baseline Area," "Begin Actual Construction," "Building, Structure, Facility, or Installation," "Particulate Precursor," "Secondary Emissions," and "Significant."

Section 15—Source Registration, 15.1, 15.1.1, 15.1.2, 15.1.3, 15.1.4, 15.1.5, 15.1.6, 15.1.7, 15.1.8, 15.2; 15.2.1, 15.2.2, 15.3, 15.4, 15.5; Preconstruction Review for New and Modified Sources, 15.6, 15.6.1, 15.6.1.1, 15.6.1.2 (deleted), 15.6.1.6, 15.6.2, 15.6.2.1 (deleted), 15.6.2.2, 15.6.2.3, 15.6.2.4, 15.6.2.5, 15.6.3, 15.6.3.1, 15.6.3.2 to 15.6.3.5 (added), 15.6.6, 15.7, 15.8, 15.9, 15.10, 15.10.1, 15.10.2, 15.10.3, 15.10.4, 15.11, 15.12; Prevention of Significant Deterioration, 15.13 (added); Preconstruction Review Requirements for New or Modified Sources in Areas Exceeding Air Quality Standards ("Offset" Rules), 15.14.1, 15.14.1.2, 15.14.1.3 (added), 15.14.3.1, 15.14.3.2, 15.14.4, 15.14.4.1, 15.14.4.3, 15.14.3.3 (added), 15.14.4.3.4 (added), 15.14.4.3.5 (added) and, 15.14.4.4 (deleted).

(iv) Amendments to the Clark County District Board of Health Air Pollution Control Regulations:

Section 4, Rule 4.7.3; Section 7; Section 9, Rules 9.1; Section 16; Section 17, Rules 17.2.1 and 17.6.1; Section 18, Rules 18.1—18.5.2; Section 23, Rules 23.2.1—23.3.1.2 and Rules 23.3.4—23.3.5; Section 27; Section 30, Rules 30.4 and 30.8; Section 52, Rules 52.4.2.3 and 52.7.2; and Section 60, Rules 60.4.3.

(v) Nevada State Lead SIP Revision submitted by the State on November 5, 1981.

(vi) Amendment to the Clark County District Board of Health Air Pollution Control Regulations: Section 60, Rule 60.4.2.

(25) The following amendments to the plan were submitted on October 26, 1982, by the Governor.

(i) Amendments of Chapter 445 of the Nevada Administrative Code.

(A) New or amended sections 445.430-445.437, 445.439-445.447, 445.451, 445.453-445.472, 445.474-445.477, 445.480-445.504, 445.509-445.519, 445.522-445.537, 445.539, 445.542-445.544, 445.546-445.549, 445.551, 445.552, 445.554-445.568, 445.570, 445.572-445.587, 445.589-445.605, 445.608-445.612, 445.614-445.622, 445.624, 445.626, 445.627, 445.629-445.655, 445.660, 445.662-445.667, 445.682, 445.685-445.700, 445.704-445.707, 445.712-445.716, 445.721, 445.723, 445.729-445.732, 445.734, 445.742, 445.743, 445.746, 445.753, 445.754, 445.764, 445.844, and 445.845.

(26) The following amendments to the plan were submitted on September 14, 1983 by the Governor.

(i) Amendments to Chapter 445 of the Nevada Administrative Code.

(A) New or amended Sections 445.732, 445.808 (paragraphs (1), (2)(a-c), and (3)-(5)), 445.815 (paragraphs (1), (2)(a)(1 and 2), and (3)-(5)), 445.816 (paragraphs (1), (2)(a-i), and (3)-(5)), 445.843, and 445.846 (paragraphs (1), (3), and (4)).

(ii) The Truckee Meadows Air Quality Implementation Plan 1982 Update except for the attainment and RFP demonstrations and Legally Enforceable Measures portions of the plan.

(iii) Amendments related to Nevada's inspection and maintenance (I/M) program.

(A) State legislation (AB 677) which defers the start-up of the annual I/M program from July 1, 1983 to October 1, 1983.

(B) An I/M public education plan.

(C) Revisions to the Engine Emission Control Regulations (Nevada Administrative Code 455.851 to 445.945).

(27) The following amendments to the plan were submitted on December 9, 1982, by the State:

(i) Emission reduction estimates and/or changes in vehicular activity for the adopted control measures.

(ii) A modeling analysis indicating 1982 attainment.

(iii) Documentation of the modeling analysis including air quality, traffic and meteorological data:

(iv) Evidence of implementation and/or future commitments for the adopted control measures.

(v) Appendix of previous reports, measured data and other official correspondence including:

(A) Resource commitments from the responsible agencies for implementing the RFP,

(B) 1979 and 1980 Annual Reports for the Lake Tahoe Air Basin, and

(C) 1981 Nevada Air Quality Report.

(28) The following amendments to the plan were submitted on December 16, 1982 by the State:

(i) Additional evidence of commitment to the control evidence by the responsible state and/or local agencies,

(ii) Additional supporting documentation for the 1982 attainment modeling analysis which included revised technical data on measured and modeled CO traffic volumes, and a revised narrative on the calibration constant and the impacts to the model.

(29) The following amendments to the plan were submitted on January 28, 1983 by the State:

(i) Response to EPA's preliminary evaluation, specifying documentation for calibrating the model, the mobile source emission factors, and additional traffic data.

(ii) Conversion factors for the model.

(iii) A revised 1982 attainment modeling analysis and supporting documentation including:

(A) 1979, 1980–82 traffic data for the Stateline Area, (Appendix A);

(B) Stateline Cold Start/Hot Start Analysis, (Appendix B);

(C) Portions of the Highway 50 Corridor Study, June 1979 (Appendix C);

(D) Reference from Transportation and Traffic Engineering Handbook, (1979), (Appendix D); and

(E) Revised Caline 3 and Mobile 2 modeling analysis using both 27% and 50% cold start factors. (Appendix E).

(30) The following amendments to the plan were submitted on May 5, 1983 by the State:

(i) "Stateline, Nevada, 1983 Carbon Monoxide Study"—a traffic, ambient air monitoring and predictive modeling report, and

(ii) A revised analysis of the Caline 3 model verifying 1982 attainment, based on data collected in February and March 1983.

(31) The following amendments to the plan were submitted on May 30, 1984, by the Governor.

(i) Washoe County, Nevada Lead SIP Revision.

(32) The Las Vegas Valley 1982 Air Quality Implementation Plan (AQIP) Update for carbon monoxide submitted by the Governor on June 23, 1982.

(33) On January 11, 1985, the following amendments to the plan were submitted by the State.

(i) Incorporation by reference.

(A) Las Vegas Valley Air Quality Implementation Plan, Post 1982 Update for Ozone adopted on October 16, 1984.

(ii) Additional material.

(A) Emissions Inventory for 1995, transmitted by a letter dated March 14, 1986.

[37 FR 10878, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1470, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1471 Classification of regions.

The Nevada plan is evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Las Vegas Intrastate	I	IA	III	I	I
Northwest Nevada Intrastate	I	III	III	III	III
Nevada Intrastate	IA	IA	III	III	III

[45 FR 7545, Feb. 4, 1980]

§ 52.1472 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Nevada's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.

(b) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph.

(1) Mason Valley/Fernley Area for TSP.

(2) Lower Reese River Valley/Clovers Area for TSP.

(3) Carson Desert for TSP.

(4) Winnemucca Segment for TSP.

(5) Truckee Meadows for TSP and CO.

(6) Las Vegas Valley for TSP and CO.

(7) Lake Tahoe Basin for CO.

(c) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in the 1977, for the nonattainment areas listed in this paragraph. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal by January 1, 1981 of reasonably available control technology (RACT) requirements for sources covered by Control Technique Guidelines (CTG's) published between January 1978 and January 1979.

(1) Truckee Meadows for O_3

(2) Las Vegas Valley for O_3

[46 FR 21766, Apr. 14, 1981, as amended at 47 FR 27069, June 23, 1982]

§ 52.1473 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met in Washoe County, since the plan does not provide procedures for making emission data, as correlated with allowable emissions, available to the public. In addition, Chapter 020.065 of the "Air Pollution Control Regulations" of the District Board of Health of Washoe County in the Northwest Nevada Intrastate Region is disapproved since it contains provisions which restrict the public availability of emission data as correlated with applicable emission limitations and other control measures.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[37 FR 10878, May 31, 1972, as amended at 37 FR 15086, July 27, 1972; 38 FR 12708, May 14, 1973; 40 FR 55331, Nov. 28, 1975; 43 FR 1342, Jan. 24, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.1474 Part D conditional approval.

(a) The following portions of the Nevada SIP contain deficiencies with respect to Part D of the Clean Air Act which must be corrected within the time limit indicated.

(1)-(4) [Reserved]

[46 FR 21766, Apr. 14, 1981, as amended at 47 FR 15792, Apr. 13, 1982; 47 FR 27069, June 23, 1982; 49 FR 6900, Feb. 24, 1984]

§ 52.1475 Control strategy and regulations: Sulfur oxides.

(a) The requirements of Subpart G of this chapter are not met since the plan does not adequately provide for attainment and maintenance of the National Ambient Air Quality Standards for sulfur oxides in the Nevada Intrastate Region.

(b) Article 8.1.3 of Nevada's "Air Quality Regulations" (emission limitation for sulfur from existing copper smelters), which is part of the sulfur oxides control strategy, is disapproved since it does not provide the degree of control needed to attain and maintain the National Ambient Air Quality Standards for sulfur oxides in the Nevada Intrastate Region.

(c) Regulation for control of fugitive sulfur oxides emissions (Nevada Intrastate Region). (1) The owner or operator of the Kennecott Copper Company smelter located in White Pine County, Nevada, in the Nevada Intrastate Region shall utilize best engineering techniques for reducing escape of pollutants to the atmosphere and to capture sulfur oxides emissions and vent them through a stack or stacks. Such techniques shall include, but not be limited to:

(i) Installing and operating hoods on all active matte tapholes, matte launders, slag skim bays, slag handling operations, and holding ladles on each reverberatory furnace;

(ii) Installing tight fitting hoods on each active converter and operating such hoods except during pouring and charging operations;

(iii) Maintaining all ducts, flues, and stacks in a leak-free condition;

(iv) Maintaining all reverberatory furnaces and converters under normal operating conditions in such a fashion that out-leakage of gases will be prevented to the maximum extent possible;

(v) Wherever feasible, ducting emissions through the tallest stack or stacks serving the facility; and

(vi) Wherever feasible, passing the effluents from all hooding through the tallest stack or stacks serving the facility.

(2) (i) If the owner or operator of the smelter subject to this paragraph is not in compliance with the provisions of paragraph (c)(1) of the section the following compliance schedule shall apply:

(*a*) 30 days after the effective date of this regulation. Let contracts or issue purchase orders for hoods and flues for control of fugitive sulfur oxides emissions or provide evidence that such contracts have been let.

(*b*) July 1, 1975. Initiate on-site construction and/or installation of emission control equipment.

(*c*) July 1, 1976. Complete on-site construction and/or installation of emission control equipment.

(*d*) January 1, 1977. Achieve final compliance with requirements of paragraph (c)(1) of this section.

(ii) The owner or operator of the smelter subject to the requirements of this paragraph shall certify to the Administrator within five days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(iii) If the source subject to this paragraph is presently in compliance with the requirements of paragraph (c)(1) of this section, the owner or operator of such source may certify such compliance to the Administrator within thirty (30) days of the effective date of this paragraph. If such certification is acceptable to the Administrator, the applicable requirements of this paragraph shall not apply to the certifying source. The Administrator may request whatever supporting information he considers necessary to determine the validity of the certification.

(3) The owner or operator of the smelter subject to this paragraph may submit to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after January 1, 1977. If approved by the Administrator, such schedule shall satisfy the compliance schedule requirements of this paragraph for the affected source.

(d) *Regulation for control of sulfur dioxide emissions* (*Nevada Intrastate Region*). (1) The owner or operator of the Kennecott Copper Company smelter located in White Pine County, Nevada, in the Nevada Intrastate Region shall comply with all the requirements of this paragraph, except as provided in paragraph (e) of this section.

(2) (i) After July 31, 1977, the owner or operator of the smelter subject to this paragraph shall not discharge or cause the discharge of sulfur dioxide into the atmosphere in excess of 10,150 pounds per hour (4,603 kg/hr.) maximum 6-hour average as determined by the method specified in paragraph (d)(4) of this section.

(ii) The limitation specified in paragraph (d)(2)(i) of this section shall apply to the sum total of sulfur dioxide emissions from the smelter processing units and sulfur oxides control and removal equipment, but not including uncaptured fugitive emissions and those emissions due solely to the use of fuel for space heating or steam generation.

(3) (i) The owner or operator of the smelter to which this paragraph is applicable shall, no later than 30 days following the effective date of this paragraph, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with paragraph (d)(2) of this section as expeditiously as practicable but not later than July 31, 1977.

(ii) The compliance schedule submitted to the Administrator pursuant to paragraph (d)(3)(i) of this section shall provide for increments of progress toward compliance. The dates for achievement of such increments of progress shall be specified. Increments of progress shall include, but not be limited to, the following:

(*a*) Submittal of final control plan to the Administrator for meeting the requirements of paragraph (d)(2) of this section.

(*b*) Letting of necessary contracts or process changes, or issuance of orders for the purchase of component parts, to accomplish emission control or process modification;

(*c*) Initiation of on-site construction or installation of emission control equipment or process modification;

(*d*) Completion of on-site construction or installation of emission control equipment or process modification;

(*e*) Full compliance with the requirements of paragraph (d)(2) of this section.

(iii) The owner or operator of the smelter subject to the requirements of this subparagraph shall certify to the Administrator within five days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(iv) Notice must be given to the Administrator at least 10 days prior to conducting a performance test to afford him the opportunity to have an observer present.

(v) If the source subject to this paragraph is currently in compliance with the requirement of paragraph (d)(2) of this section, the owner or operator of such source may certify such compliance to the Administrator within thirty (30) days of the effective date of this paragraph. If such certification is acceptable to the Administrator, the applicable requirements of this paragraph (d)(3) of this section shall not apply to the certifying source. The Administrator may request whatever supporting information he considers necessary to determine the validity of the certification.

(4) (i) The owner or operator of the smelter to which this paragraph is applicable shall install, calibrate, maintain, and operate a measurement system(s) for continuously monitoring sulfur dioxide emissions and stack gas volumetric flow rates in each stack which emits 5 percent or more of the total potential (without emission controls) hourly sulfur oxides emissions from the source. For the purpose of this paragraph, "continuous monitoring" means the taking and recording of at least one measurement of sulfur dioxide concentration and stack gas flow rate reading from the effluent of each affected stack in each 15-minute period.

(ii) Within nine months after the effective date of this paragraph, and at other such times in the future as the Administrator may specify, the sulfur dioxide concentration measurement system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in Appendix D to this part.

(iii) Within nine months after the effective date of this paragraph, and at other such times in the future as the Administrator may specify, the stack gas volumetric flow rate measurement system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in Appendix E to this part.

(iv) The Administrator shall be notified at least ten (10) days in advance of the start of the field test period required in Appendices D and E to this part to afford the Administrator the opportunity to have an observer present.

(v) The sampling point for monitoring emissions shall be in the duct at the centroid of the cross section if the cross sectional area is less than 4.647 m^2 (50 ft.^{2}) or at a point no closer to the wall than 0.914 m (3 ft.) if the cross sectional area is 4.647 m^2 (50 ft.^{2}) or more. The monitor sample point shall be in an area of small spatial concentration gradient and shall be representative of the concentration in the duct.

(vi) The measurement system(s) installed and used pursuant to this section shall be subjected to the manufacturer's recommended zero adjustment and calibration procedures at least once per 24-hour operating period unless the manufacturer specifies or recommends calibration at shorter intervals, in which case such specifications or recommendations shall be followed. Records of these procedures shall be made which clearly show instrument readings before and after zero adjustment and calibration.

(vii) Six-hour average sulfur dioxide emission rates shall be calculated in accordance with paragraph (d)(5) of this section, and recorded daily.

(viii) The owner or operator of the smelter subject to this paragraph shall maintain a record of all measurements required by this paragraph. Measurement results shall be expressed as pounds of sulfur dioxide emitted per six hour period. A 6-hour average value calculated pursuant to paragraph (d)(5)(i) of this section shall be reported as of each hour for the preceding 6-hour period. Results shall be summarized monthly and shall be submitted to the Administrator within fifteen (15) days after the end of each month. A record of such measurements shall be retained for at least two years following the date of such measurements.

(ix) The continuous monitoring and recordkeeping requirements of this paragraph shall become applicable nine months after the effective date of this regulation.

(5) (i) Compliance with the requirements of paragraph (d)(2) of this section shall be determined using the continuous measurement system(s) installed, calibrated, maintained and operated in accordance with the requirements of paragraph (d)(4) of this section. For all stacks equipped with the measurement system(s) required by paragraph (d)(4) of this section, a 6-hour average sulfur dioxide emission rate shall be calculated as of the end of each clock hour, for the preceding six hours, in the following manner:

(*a*) Divide each 6-hour period into 24 15-minute segments.

(*b*) Determine on a compatible basis a sulfur dioxide concentration and stack gas flow rate measurement for each 15-minute period for each affected stack. These measurements may be obtained either by continuous integration of sulfur dioxide concentration and stack gas flow rate measurements (from the respective affected facilities) recorded during the 15-minute period or from the arithmetic average of any number of sulfur dioxide concentration and stack gas flow readings equally spaced over the 15-minute period. In the later case, the same number of concentration readings shall be taken in each 15-minute period and the readings shall be similarly spaced within each 15-minute period.

(*c*) Calculate the arithmetic average (lbs SO_2/hr) from all 24 emission rate measurements in each 6-hour period for each stack.

(*d*) Total the average sulfur dioxide emission rates for all affected stacks.

(ii) Notwithstanding the requirements of paragraph (d)(5)(i) of this section, compliance with the requirements of paragraph (d)(2) of this section shall also be determined by using the methods described below at such times as may be specified by the Administrator. For all stacks equipped with the measurement system(s) required by paragraph (d)(4) of this section, a 6-hour average sulfur dioxide emission rate (lbs SO_2/hr) shall be determined as follows:

(*a*) The test of each stack emission rate shall be conducted while the processing units vented through such stack are operating at or above the maximum rate at which they will be operated and under such other conditions as the Administrator may specify.

(*b*) Concentrations of sulfur dioxide in emissions shall be determined by using Method 8 as described in Part 60 of this chapter. The analytical and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide as well as isokinetic sampling may be omitted from the over-all test procedure.

(*c*) Three independent sets of measurements of sulfur dioxide concentrations and stack gas volumetric flow rates shall be conducted during three 6-hour periods for each stack. Each 6-hour period will consist of three consecutive 2-hour periods. Measurements of emissions from all stacks on the smelter premises need not be conducted simultaneously. All tests must be completed within a 72-hour period.

(*d*) In using Method 8, traversing shall be conducted according to Method 1 as described in Part 60 of this chapter. The minimum sampling volume for each two hour test shall be 40 ft^3 corrected to standard conditions, dry basis.

(*e*) The volumetric flow rate of the total effluent from each stack evaluated shall be determined by using Method 2 as described in Part 60 of this chapter and by traversing according to Method 1. Gas analysis shall be performed by using the integrated sample technique of Method 3 as described in Part 69 of this chapter. Moisture content shall be determined by use of Method 4 as described in Part 60 of this chapter except that stack gases arising only from a sulfuric acid production unit may be considered to have zero moisture content.

(*f*) The gas sample shall be extracted at a rate proportional to the gas velocity at the sampling point.

(*g*) For each two hour test period, the sulfur dioxide emission rate for each stack shall be determined by multiplying the stack gas volumetric flow rate (ft^3/hr at standard conditions, dry basis) by the sulfur dioxide concentration (lb/ft^3 at standard conditions, dry basis). The emission rate in lbs/hr-maximum 6-hour average for each stack is determined by calculating the arithmetic average of the results of the three 2-hour tests.

(*h*) The sum total of sulfur dioxide emissions from the smelter premises in lbs/hr is determined by adding together the emission rates (lbs/hr) from all stacks equipped with the measurement system(s) required by paragraph (d)(4) of this section.

(e) Alternate regulation for control of sulfur dioxide emissions (Nevada Intrastate Region). (1) The owner or operator of the Kennecott Copper Company smelter located in White Pine County, Nevada, in the Nevada Intrastate Air Quality Control Region may apply to the Administrator for approval to meet the requirements of this paragraph. Upon such approval, granted pursuant to paragraph (e)(3) of this section, the requirements of paragraph (d) shall not be applicable during the period of such approval, and all requirements of this paragraph shall apply.

(2) All terms used in this paragraph but not specifically defined below shall have the meaning given them in the Act, Part 51 or § 52.01 of this chapter.

(i) The term "supplementary control system" means any system which limits the amount of pollutant emissions during periods when meteorological conditions conducive to ground-level concentrations in excess of national standards exist or are anticipated.

(ii) The term "ambient air quality violation" means any single ambient concentration of sulfur dioxide that exceeds any National Ambient Air Quality Standard for sulfur dioxide at any point in a designated liability area, as specified in paragraph (e)(8) of this section.

(iii) The term "isolated source" means a source that will assume legal responsibility for all violations of the applicable national standards in its designated liability area, as specified in paragraph (e)(8) of this section.

(iv) The term "designated liability area" means the geographic area within which emissions from a source may significantly affect the ambient air quality.

(3)(i) The application for permission to comply with this paragraph shall be submitted to the Administrator no later than sixty (60) days following the effective date of this paragraph and shall include the following:

(*a*) A short description of the type and location of the smelter; the process, equipment, raw materials and fuels used; the stacks employed; and emissions to the atmosphere from various points on the smelter premises.

(*b*) A general description and the location of other sources of air pollution and of the uses of land, and the topography in the vicinity of the smelter.

(*c*) A summary of all ambient air quality data in the vicinity of the smelter collected by or under contract to smelter.

(*d*) A description of the methods of constant emission reduction that are or will be applied and the degree of emission reduction achieved or expected due to their application.

(*e*) A description of the investigations that the owner or operator has made, and the results thereof, as to the availability of constant emission reduction methods that would meet the requirements of paragraph (d)(2) of this section and a discussion of the reasons why any potentially available methods cannot reasonably be used.

(*f*) A specific description of the research, investigations, or demonstrations that the owner or operator will conduct or support for the purpose of developing constant emission reduction technology applicable to the smelter. Such description shall include the resources to be committed, qualifications of the participants, a description of the facilities to be utilized and milestone dates.

(*g*) A detailed description of all other measures the owner or operator will apply, in addition to those described in paragraph (e)(3)(i)(*d*) of this section, to provide for attainment and maintenance of the air quality standards. These measures include but need not be limited to supplementary control systems, tall stacks and other dispersion techniques. Each measure to be applied shall be described in sufficient detail to allow the Administrator to determine its effectiveness in reducing ambient concentrations.

(*h*) A written commitment by the owner or operator of the source subject to this paragraph agreeing to assume liability for all violations of National Ambient Air Quality Standards within the designated liability area.

(*i*) Such other pertinent information as the Administrator may require.

(ii) Upon receipt of the information specified in paragraph (e)(3)(i) of this section, and after making a determination of its adequacy, the Administrator promptly shall, after thirty (30) days notice, conduct a public hearing on the application submitted by the owner or operator. The Administrator shall make available to the public the information contained in the application. Within thirty (30) days after the hearing, the Administrator shall notify the owner or operator of the smelter and other interested parties of his decision as to whether to grant or deny the application. If he denies the application, he will set forth his reasons. If he approves the application the owner or operator shall comply with all provisions of paragraph (e) of this section and need not comply with provisions of paragraph (d) of this section except as provided in paragraph (e)(16) of this section.

(iii) Approval of the application to abide by the provisions of paragraph (e) will be granted if it can be satisfactorily demonstrated to the Administrator that control measures in addition to the available constant emission controls are required and if the specific measures submitted pursuant to paragraph (e)(3)(i)(*g*) of this section will provide for the attainment and maintenance of the National Ambient Air Quality Standards.

(4) (i) The owner or operator of the smelter subject to this paragraph shall not discharge or cause the discharge of sulfur dioxide into the atmosphere in excess of:

(*a*) 2,600 parts per million-maximum 6-hour average, from any single absorption sulfuric acid producing facility designed for the removal of sulfur dioxide, as determined by the method specified in paragraph (e)(6) (i) or (iii) of this section, and

(*b*) 29,000 pounds per hour (13,154 kg/hr) maximum 6-hour average, as determined by the method specified in paragraph (e)(6) (ii) or (iv) of this section. Such limitation shall apply to the sum total of sulfur dioxide emissions from the smelter processing units and sulfur oxides control and removal equipment but not including uncaptured fugitive emissions and those emissions due solely to use of fuel for space heating or steam generation.

(ii) All emissions from the converters, with the exception of the uncaptured fugitive emissions, shall be processed through a facility for the removal of sulfur dioxide which meets the requirements of paragraph (e)(4)(i)(*a*) of this section.

(5) (i) The owner or operator of the smelter to which this paragraph is applicable shall install, calibrate, maintain and operate a measurement system(s) for continuously monitoring sulfur dioxide emissions and stack gas volumetric flow rates in each stack which emits 5 percent or more of the total potential (without emission controls) hourly sulfur oxide emissions from the source. For the purpose of this paragraph, "continuous monitoring" means the taking and recording of at least one measurement of sulfur dioxide concentration and stack gas flow rate reading from the effluent of each affected stack in each 15-minute period.

(ii) No later than the date specified in paragraph (e)(14)(i)(*b*)(*5*) of this section and at such other times in the future as the Administrator may reasonably specify, the sulfur dioxide concentration measurement system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in Appendix D to this part.

(iii) No later than the date specified in paragraph (e)(14)(i)(*b*)(*5*) of this section and at such other times in the future as the Administrator may reasonably specify, the stack gas volumetric flow rate measurement system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in Appendix E to this part.

(iv) The Administrator shall be notified at least 10 days in advance of the start of the field test period required in Appendices D and E to this part to afford the Administrator the opportunity to have an observer present.

(v) The sampling point for monitoring emissions shall be in the duct at the centroid of the cross section if the cross sectional area is less than 4.647 m^2 (50 ft^2) or at a point no closer to the wall than 0.914 m (3 ft) if the cross sectional area is 4.647 m^2 (50 ft^2) or more. The monitor sample point shall be an area of small spatial concentration gradient and shall be representative of the concentration in the duct.

(vi) The measurement system(s) installed and used pursuant to this section shall be subjected to the manufacturer's recommended zero adjustment and calibration procedures at least once per 24-hour operating period unless the manufacturer specifies or recommends calibration at shorter intervals, in which case such specifications or recommendations shall be followed. Records of these procedures shall be made which clearly show instrument readings before and after zero adjustment and calibration.

(vii) Six-hour average sulfur dioxide concentration and emission rates shall be calculated in accordance with paragraph (e)(6) of this section and recorded daily.

(viii) The owner or operator of the smelter subject to this paragraph shall maintain a record of all measurements required by this paragraph. Measurement results shall be expressed in the units prescribed by the emission limitations in paragraph (e)(4) of this section. Six-hour average values calculated pursuant to paragraphs (e)(6) (i) and (ii) of this section shall be reported as of each hour for the preceding six hours. The results shall be summarized monthly and shall be submitted to the Administrator within fifteen (15) days of the end of each month. A record of such measurements shall be retained for at least two years following the date of such measurements.

(6) (i) Compliance with the requirements of paragraph (e)(4)(i)(*a*) of this section shall be determined using the continuous measurements system(s) installed, calibrated, maintained and operated in accordance with the requirements of paragraph (e)(5) of this section. For the stack(s) equipped with the measurement system(s) required by paragraph (e)(5) of this section and serving the sulfur dioxide removal device a 6-hour average sulfur dioxide concentration shall be calculated as of the end of each clock hour for the preceding six hours, in the following manner:

(*a*) Divide each 6-hour period into twenty-four 15-minute segments.

(*b*) Determine on a compatible basis a sulfur dioxide concentration measurement for each 15-minute period. These measurements may be obtained either by continuous integration of all measurements (from the respective affected facility) recorded during the 15-minute period or from the arithmetic average of any number of sulfur dioxide concentration readings equally spaced over the 15-minute period. In the latter case, the same number of concentration readings shall be taken in each 15-minute period and the readings shall be similarly spaced within each 15-minute period.

(*c*) Calculate the arithmetic average of all 24 concentration measurements in each 6-hour period.

(ii) Compliance with the requirements of paragraph (e)(4)(i)(*b*) of this section shall be determined using the continuous measurement system(s) installed, calibrated, maintained and operated in accordance with the requirements of paragraph (e)(5) of this section. For all stacks equipped with the measurement system(s) required by paragraph (e)(5) of this section, a 6-hour average sulfur dioxide emission rate shall be calculated as of the end of each clock hour for the preceding six hours, in the following manner:

(*a*) Divide each 6-hour period into twenty-four 15-minute segments.

(*b*) Determine on a compatible basis a sulfur dioxide concentration and stack gas flow rate measurement for each 15-minute period for each affected stack. These measurements may be obtained either by continuous integration of sulfur dioxide concentrations and stack gas flow rate measurements (from the respective affected facilities) recorded during the 15-minute period or from the arithmetic average of any number of sulfur dioxide concentration and stack gas flow rate readings equally spaced over the 15-minute period. In the latter case, the same number of concentration readings shall be taken in each 15-minute period and the readings shall be similarly spaced within each 15-minute period.

(*c*) Calculate the arithmetic average (lbs SO_2/hr) of all 24 emission rate measurements in each 6-hour period for each stack.

(*d*) Total the average sulfur dioxide emission rates for all affected stacks.

(iii) Notwithstanding the requirements of paragraph (e)(6)(i) of this section, compliance with the requirements of paragraph (e)(4)(i)(*a*) of this section shall also be determined by using the methods described below at such times as may be specified by the Administrator. For each stack serving any process designed for the removal of sulfur dioxide a 6-hour average sulfur dioxide concentration shall be determined as follows:

(*a*) The test of each stack emission concentration shall be conducted while the processing units vented through such stack are operating at or above the maximum rate at which such will be operated and under such other conditions as the Administrator may specify.

(*b*) Concentrations of sulfur dioxide in emissions shall be determined by using Method 8 as described in Part 60 of this chapter. The analytical and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide as well as isokinetic sampling may be omitted from the over-all test procedure.

(*c*) Three independent sets of measurements of sulfur dioxide concentration shall be conducted during three 6-hour periods of each stack. Each 6-hour period will consist of three consecutive 2-hour periods. Measurements of emissions from all stacks on the smelter premises need not be conducted simultaneously. All tests must be completed within a 72-hour period.

(*d*) In using Method 8, traversing shall be conducted according to Method 1 as described in Part 60 of this chapter. The minimum sampling volume for each two hour test shall be 40 ft^3 corrected to standard conditions, dry basis.

(*e*) The velocity of the total effluent from each stack evaluated shall be determined by using Method 2 as described in Part 60 of this chapter and traversing according to Method 1. Gas analysis shall be performed by using the integrated sample technique of Method 3 as described in Part 60 of this chapter. Moisture content can be considered to be zero.

(*f*) The gas sample shall be extracted at a rate proportional to gas velocity at the sampling point.

(*g*) The sulfur dioxide concentration in parts per million-maximum 6-hour average for each stack is determined by calculating the arithmetic average of the results of the three 2-hour tests.

(iv) Notwithstanding the requirements of paragraph (e)(6)(ii) of this section, compliance with the requirements of paragraph (e)(4)(i)(*b*) of this section shall also be determined by using the methods described below at such times as may be specified by the Administrator. For all stacks equipped with the measurement system(s) required by paragraph (e)(5) of this section, a 6-hour average sulfur dioxide emission rate (lbs SO_2/hr) shall be determined as follows:

(*a*) The test of each stack emission rate shall be conducted while the processing units vented through such stack are operating at or above the maximum rate at which they will be operated and under such other conditions as the Administrator shall specify.

(*b*) Concentrations of sulfur dioxide in emissions shall be determined by using Method 8 as described in Part 60 of this chapter. The analytical, and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide as well as isokinetic sampling may be omitted from the over-all test procedure.

(*c*) Three independent sets of measurements of sulfur dioxide concentrations and stack gas volumetric flow rates shall be conducted during three consecutive 2-hour periods for each stack. Measurements need not necessarily be conducted simultaneously of emissions from all stacks on the smelter premises.

(*d*) In using Method 8, Traversing shall be conducted according to Method 1 as described in Part 60 of this chapter. The minimum sampling volume for each 2-hour test shall be 40 ft^3 corrected to standard conditions, dry basis.

(*e*) The volumetric flow rate of the total effluent from each stack evaluated shall be determined by using Method 2 as described in Part 60 of this chapter and by traversing according to Method 1. Gas analysis shall be performed by using the integrated sample technique of Method 3 as described in Part 60 of this chapter. Moisture content shall be determined by use of Method 4 as described in Part 60 of this chapter except that stack gases arising only from a sulfuric acid production unit may be considered to have zero moisture content.

(*f*) The gas sample shall be extracted at a rate proportional to the gas velocity at the sampling point.

(*g*) For each 2-hour test period, the sulfur dioxide emission rate for each stack shall be determined by multiplying the stack gas volumetric flow rate (ft^3/hr at standard conditions, dry basis) by the sulfur dioxide concentration (lb/ft^3 at standard conditions, dry basis). The emission rate in lbs/hr-maximum 6-hour average for each stack is determined by calculating the arithmetic average of the results of the three 2-hour tests.

(*h*) The sum total of sulfur dioxide emissions from the smelter premises in lbs/hr is determined by adding together the emission rates (lbs/hr) from all stacks equipped with the measurement system(s) required by paragraph (e)(5) of this section.

(7) The owner or operator of the smelter subject to this paragraph, in addition to meeting the emission limitation requirements of paragraph (e)(4) of this section, shall employ supplementary control systems and/or such additional control measures as may be necessary to assure the attainment and maintenance of the National

Ambient Air Quality Standards for sulfur dioxide.

(i) Such measures will be limited to those specified in the application submitted pursuant to paragraph (e)(3)(i)(*g*) of this section.

(ii) Sulfur oxides emissions shall be curtailed whenever the potential for violating any National Ambient Air Quality Standard for sulfur dioxide is indicated at any point in a designated liability area by either of the following:

(*a*) Air quality measurement.

(*b*) Air quality prediction.

(8) (i) For the purposes of this paragraph the designated liability area shall be a circle with a radius of fifteen (15) statute miles (24 km) with the center point of such circle coinciding with the tallest stack serving the affected facility. The owner or operator of the smelter subject to this paragraph may submit a detailed report which justifies redefining the designated liability area specified by the Administrator. Such a justification shall be submitted with the application submitted pursuant to paragraph (e)(3)(i) of this section and shall describe and delineate the requested designated liability area and discuss in detail the method used and the factors taken into account in the development of such area. Upon receipt and evaluation of such report, and after the public hearing described in paragraph (e)(3)(ii) of this section, the Administrator shall issue his final determination.

(ii) If new information becomes available which demonstrates that the designated liability area should be redefined, the Administrator shall consider such and if appropriate, after notice and comment, redefine the designated liability area.

(9) (i) The owner or operator of the smelter subject to the paragraph shall submit with the application submitted pursuant to paragraph (e)(3)(i) of this section, a detailed plan for the establishment of a supplementary control system and/or such other measures as may be proposed. Such plan shall describe all air quality and emission monitoring and meteorological equipment to be used, including instruments installed pursuant to paragraph (e)(5) of this section for continuously monitoring and recording sulfur dioxide emissions and stack gas flow rate, the methods that will be used to determine emission rates to be achieved in association with various meteorological and air quality situations, and the general plan of investigations to be followed in developing the system and the operational manual.

(ii) Such plan shall include detailed specifications of any modifications to existing equipment including new stacks, stack extensions, stack heating systems or any process changes to be applied.

(iii) The monitoring described in the detailed plan submitted in accordance with this subparagraph and the appropriate recordkeeping requirements of paragraph (e)(12) of this section shall commence and become applicable as of the date specified in paragraph (e)(14)(i)(*b*)(*5*) of this section.

(10) The owner or operator of the smelter subject to this paragraph shall submit to the Administrator a comprehensive report of a study which demonstrates the capability of the supplementary control system, in conjunction with any other control measures, to reduce air pollution levels. The report shall describe a study conducted during a period of at least 120 days during which the supplementary control system was being developed and operated and shall be submitted no later than the date specified in paragraph (e)(14)(i)(*b*)(*6*) of this section. The report shall:

(i) Describe the emission monitoring system and the air quality monitoring network.

(ii) Describe the meteorological sensing network and the meteorological prediction program.

(iii) Identify the frequency, characteristics, times of occurrence and durations of meteorological conditions associated with high ground-level concentrations.

(iv) Describe the methodology (e.g., disperson modeling and measured air quality data) by which the source determines the degree of control needed under each meteorological situation.

(v) Describe the method chosen to vary the emission rate, the basis for the choice, and the time required to effect a sufficient reduction in the emission rate to avoid violations of National Ambient Air Quality Standards.

(vi) Contain an estimate of the frequency that emission rate reduction is required to prevent National Ambient Air Quality Standards from being exceeded and the basis for the estimate.

(vii) Include data and results of objective reliability tests. "Reliability," as the term is applied here, refers to the ability of the supplementary control system to protect against violations of the National Ambient Air Quality Standards.

(viii) Demonstrate that the supplementary control system and other measures expected to be employed after the date specified in paragraph (e)(14)(i)(*b*)(*6*) of this section will result in attainment and maintenance of National Ambient Air Quality Standards.

(11) The owner or operator of the smelter subject to this paragraph shall submit to the Administrator an operational manual for the supplementary control system. Such manual shall be submitted no later than the date specified in paragraph (e)(14)(i)(*b*)(*6*) of this section and is subject to the approval of the Administrator as satisfying the specific requirements of this paragraph. Such approval shall not relieve the owner or operator of the smelter subject to this paragraph from its assumed liability for violations of any National Ambient Air Quality Standards for sulfur oxides in the designated liability area. Prior to making his final decision, the Administrator shall, after reasonable notice, provide an opportunity of not less than forty-five (45) days for public inspection and comment upon the manual. Such manual shall:

(i) Specify the number, type, and location of ambient air quality monitors, instack monitors and meteorological instruments to be used.

(ii) Describe techniques, methods, and criteria to be used to anticipate the onset of meteorological situations associated with ground-level concentrations in excess of National Ambient Air Quality Standards and to systematically evaluate and, as needed, improve the reliability of the supplementary control system.

(iii) Describe the criteria and procedures that will be used to determine the degree of emission control needed for each class of meteorological and air quality situations.

(iv) Specify maximum emission rates which may prevail during all probable meteorological and air quality situations, which rates shall be such that National Ambient Air Quality Standards will not be exceeded in the designated liability area. Such emission rates shall be determined by in-stack monitors. Data from such monitors shall be the basis for determining whether the emission rate provisions of the approved operational manual are adhered to.

(v) Describe specific actions that will be taken to curtail emissions when various meteorological conditions described in paragraph (c)(11)(ii) of this section exist or are predicted and/or when specified air quality levels occur.

(vi) Identify the company personnel responsible for initiating and supervising the actions that will be taken to curtail emissions. Such personnel must be responsible, knowledgeable and able to apprise the Administrator of the status of the supplementary control system at any time the source is operating.

(vii) Be modified only if approval by the Administrator is first obtained.

(12) The owner or operator of the smelter subject to this paragraph shall:

(i) Maintain, in a usable manner, records of all measurements and reports prepared as part of the supplementary control system described in the approved operational manual. Such records shall be retained for at least two years.

(ii) Submit, on a monthly basis, the hour by hour measurements made of air quality, emissions and meteorological parameters, and all other measurements made on a periodic basis, as part of the approved supplementary control system.

(iii) Submit a monthly summary indicating all places, dates, and times when National Ambient Air Quality Standards for sulfur oxides were exceeded and the concentrations of sulfur dioxide at such times.

(iv) Notify the Administrator of any violation of National Ambient Air Quality Standards within 24 hours of the occurrence of such violation.

(v) Submit a monthly summary report describing and analyzing how the supplementary control system was operated as related to the approved operations manual and how the system will be improved, if necessary, to prevent violations of the National Ambient Air Quality Standards for sulfur oxides or to prevent any other conditions which are not in accordance with the approved operational manual.

(13)(i) The owner or operator of the smelter subject to this paragraph shall participate in a research program to develop and apply constant emission reduction technology adequate to attain and maintain the national standards. Such program shall be carried out in accordance with the plan submitted pursuant to paragraph (e)(3)(i)(*f*) of this section.

(ii) The owner or operator of the smelter subject to this paragraph shall submit annual reports on the progress of the research and development program required by paragraph (e)(13)(i) of this section. Each report shall also include, but not be limited to, a description of the projects underway, information on the qualifications of the personnel involved, information on the funds and personnel that have been committed, and an estimated date for the installation of the constant emission reduction technology necessary to attain and maintain the National Ambient Air Quality Standards.

(14) (i) The owner or operator of the smelter subject to this paragraph shall comply with the compliance schedules specified below.

(*a*) Compliance schedule for meeting the emission reduction requirements of paragraph (e)(4) of this section:

(*1*) No later than thirty (30) days after the date of approval to meet the requirements of this paragraph—submit a final plan and schedule to the Administrator for meeting the requirements of paragraph (e)(4) of this section.

(*2*) No later than thirty (30) days after the date of approval to meet the requirements of this paragraph—let contracts or issue purchase order for emission control systems or process modifications or provide evidence that such contracts have been let.

(*3*) July 1, 1975. Initiate on-site construction or installation of emission control equipment or process change.

(*4*) July 1, 1976. Complete on-site construction or installation of constant emission control equipment or process change.

(*5*) January 1, 1977. Achieve final compliance with the requirements of paragraph (*4*) of this paragraph (e)(14)(i)(*a*).

(*b*) Compliance schedule for implementing a supplementary control system or other measures which meet the requirements of paragraphs (e)(7), (9), (10), and (11) of this section.

(*1*) No later than sixty (60) days after approval to meet the requirements of this paragraph—submit to the Administrator a detailed schedule for establishment and implementation of the supplementary control system and other measures in accordance with paragraph (e)(9) of this section.

(*2*) No later than ninety (90) days after approval to meet the requirements of this paragraph—let contracts or issue purchase orders, or provide evidence that such contracts have been let, for ambient air quality monitors, meteorological instruments, and other component parts necessary to establish a supplementary control system.

(*3*) No later than ninety (90) days after approval to meet the requirements of this paragraph—let contracts or issue purchase orders, or provide evidence that such contracts have been let, for any stack extensions or modifications of equipment approved pursuant to paragraph (e)(3) of this section.

(*4*) November 1, 1975. Complete installation of air quality and emission monitors and meteorological equipment.

(*5*) January 1, 1976. Complete installation of any stack extensions or modifications of equipment approved pursuant to paragraph (e)(3) of this section.

(*6*) May 1, 1976. Submit to the Administrator the comprehensive report on the supplementary control system required by paragraph (e)(10) of this section, and submit to the Administrator for his approval the operational manual required by paragraph (e)(11) of this section.

(*7*) January 1, 1977. The National Ambient Air Quality Standards for sulfur dioxide shall not be violated in the designated liability area.

(ii) Any owner or operator subject to the requirements of this subparagraph shall certify to the Administrator within five (5) days after the deadline for each increment of progress whether or not the required increment of progress has been met.

(iii) Notice must be given to the Administrator at least ten (10) days prior to conducting a performance test to afford him the opportunity to have an observer present.

(iv) If the source subject to this paragraph is presently in compliance with any of the increments of progress set forth in this paragraph, the owner or operator of such source shall certify such compliance to the Administrator within thirty (30) days of the effective date of this paragraph. The Administrator may request whatever supporting information he considers necessary to determine the validity of the certification.

(v) The owner or operator of the smelter subject to this paragraph may submit to the Administrator proposed alternative compliance schedules. Each such proposed compliance schedule shall be submitted with the application submitted pursuant to paragraph (e)(3)(i) of this section. No such compliance schedule may provide for final compliance after January 1, 1977. If approved by the Administrator, such schedule shall replace the compliance schedule set forth in this paragraph.

(vi) Any such compliance schedule submitted to the Administrator shall provide for increments of progress toward compliance. The dates for achievement of such increments of progress shall be specified. Increments of progress shall include, but not be limited to, the increments specified in the appropriate compliance schedule set forth in paragraphs (e)(14)(i) (*a*) and (*b*) of this section.

(15) (i) The Administrator shall annually review the supplementary control system and shall deny continued use of the supplementary control system if he determines that:

(*a*) The review indicates that constant emission control technology has become available or that other factors which may bear on the conditions for use of a supplementary control system have changed to the extent that continued use of the supplementary control system would no longer be deemed approvable within the intent of paragraph (e)(3) of this section; or

(*b*) The source owner or operator has not demonstrated good faith efforts to follow the stated program for developing constant emission reduction procedures; or

(*c*) The source owner or operator has not developed and employed a control program that is effective in preventing violations of National Ambient Air Quality Standards.

(ii) Prior to denying the continued use of a supplementary control system pursuant to paragraph (e)(15)(i) of this section, the Administrator shall notify the owner or operator of the smelter subject to this paragraph of his intent to deny such continued use, together with:

(*a*) The information and findings on which such intended denial is based.

(*b*) Notice of opportunity for such owner or operator to present, within thirty (30) days, additional information or arguments to the Administrator prior to his final determination.

(iii) The Administrator shall notify the owner or operator of the smelter subject to this paragraph of his final determination within thirty (30) days after the presentation of additional information or arguments, or thirty (30) days after the final date specified for such presentation if no presentation is made. If the continued use of the supplementary control system is denied, the final determination shall set forth the specific grounds for such denial.

(16) Upon denial of the continued use of a supplementary control system pursuant to paragraph (e)(15) of this section all the requirements of paragraph (d) of this section shall be immediately applicable to the owner or operator of the Kennecott Copper

Company smelter located in White Pine County, Nevada, in the Nevada Intrastate Region and compliance therewith shall be achieved in accordance with such schedule as the Administrator shall order.

(17) The owner or operator of the smelter subject to this paragraph shall be in violation of a requirement of an applicable implementation plan and subject to the penalties specified in section 113 of the Clean Air Act if:

(i) An increment of the compliance schedules set forth in paragraph (e)(14) of this section is not met by the date specified; or

(ii) The total sulfur dioxide concentration determined according to paragraph (e)(6) (i) or (iii) of this section exceeds the emission limitation set forth in paragraph (e)(4)(i)(*a*) of this section; or

(iii) The total sulfur dioxide emission rate determined according to paragraph (e)(6) (ii) or (iv) of this section exceeds the emission limitation set forth in paragraph (e)(4)(i)(*b*) of this section; or

(iv) Any National Ambient Air Quality Standards for sulfur oxides are violated in the designated liability area; or

(v) Operations of the supplementary control system are not conducted in accordance with the approved operational manual; or

(vi) Such owner or operator fails to submit any of the information required by this paragraph.

[40 FR 5511, Feb. 6, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1476 Control strategy: Particulate matter.

(a) The requirements of Subpart G of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standards for particulate matter in the Northwest Nevada and Nevada Intrastate Regions.

(b) The following rule and portions of the control strategy are disapproved since they do not provide the degree of control needed to attain and maintain the National Ambient Air Quality Standards for particulate matter.

(1) NAQR Article 7.2.7, *Particulate Matter;* Table 4.2, *Emissions Inventory Summary for Particulates* and Table 5.2, *Summary of Control Strategy Analysis for Particulates,* from the Nevada Control Strategy, submitted on October 7, 1976.

(c) The following rules are disapproved because they relax the emission limitation on particulate matter.

(1) Clark County District Board of Health, Table 27.1, (Particulate Matter from Process Matter), submitted on July 24, 1979.

(2) Nevada Air Quality Regulations, Article 4, Rule 4.34, (Visible Emission from Stationary Sources), submitted on December 29, 1978, and Rule 4.3.6, (Visible Emission from Stationary Sources), submitted on June 24, 1980.

[37 FR 10877, May 31, 1972, as amended at 45 FR 8011, Feb. 6, 1980; 46 FR 43142, Aug. 27, 1981; 51 FR 40676, Nov. 7, 1986]

§ 52.1477 Nevada air pollution emergency plan.

Section 6.1.5 of the Emergency Episode Plan submitted on December 29, 1978 is disapproved since termination of the episode is left to the discretion of the Control Officer and not specified criteria and it does not meet the requirements of 40 CFR 51.16 and Appendix L. The old rule 6.1.5 submitted on January 28, 1972 is retained.

[45 FR 46385, July 10, 1980]

§ 52.1478 [Reserved]

§ 52.1479 Source surveillance.

(a) The requirements of § 51.211 of this chapter are not met, except in Clark County, since the plan does not provide adequate legally enforceable procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report, information on the nature and amount of emissions.

(b) The requirements of § 51.214 of this chapter are not met since the plan does not provide adequate legally enforceable procedures to require stationary sources subject to emission standards to submit information relating to emissions and operation of the emission monitors to the State as specified in Appendix P of Part 51.

[37 FR 10878, May 31, 1972, as amended at 38 FR 12709, May 14, 1973; 40 FR 55331, Nov. 28, 1975; 43 FR 36933, Aug. 21, 1978; 51 FR 40677, Nov. 7, 1986]

§ 52.1480 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Nevada's plan, except where noted.

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_x		NO_x	CO	O_x
	Primary	Secondary	Primary	Secondary			
Las Vegas Intrastate	e	e	a	a	c	f	e
Northwest Nevada Intrastate:							
Tahoe Basin	July 1975	July 1977	c	c	c	e	c
Emley Area	e	e	c	c	c	c	d
Truckee Meadows	e	e	c	c	c	f	f
Mason Valley	e	e	c	c	c	c	c
Remainder of Intrastate	July 1975	July 1977	c	c	c	c	c
Nevada Intrastate:							
Carson Desert	e	e	b	b	c	c	c
Winnemucca Segment	e	e	b	b	c	c	c
Lower Reese River Valley	e	e	b	b	c	c	c
Clovers Area	e	e	b	b	c	c	c
Remainder of Intrastate	July 1975	July 1977	b	b	c	c	c

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan does not provide a specific date or the date provided is not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1480 (1980).

a. July 1975.

b. July 1977, except that in the event the source subject to § 52.1475(d) is granted permission to comply with § 52.1475(e) the attainment date for the national primary and secondary standards shall be January 1, 1977.

c. Air quality levels presently below secondary standards.

d. Transportation and/or land use measures will be proposed by the Administrator no later than February 15, 1973.

e. December 31, 1982.

f. December 31, 1987.

[37 FR 15086, July 27, 1972, as amended at 40 FR 5517, Feb. 6, 1975; 46 FR 21767, Apr. 14, 1981; 46 FR 45607, Sept. 14, 1981; 47 FR 27070, June 23, 1982]

§ 52.1481 Extensions.

(a) The Administrator hereby extends to July 31, 1977, the attainment date for the primary standards of sulfur oxides in the Nevada Intrastate Air Quality Control Region. In the event that the source subject to § 52.1475(d) is granted permission to comply with § 52.1475(e) the attainment date for the primary standards for sulfur oxides in the Nevada Intrastate Air Quality Control Region shall be extended only to January 1, 1977.

(b) The Administrator hereby extends to December 31, 1982 certain attainment dates for the National standards for carbon monoxide (CO), ozone (O_3), and total suspended particulates (TSP) in the following areas:

(1) Truckee Meadows for CO and TSP.

(2) Las Vegas Valley for O_3 and TSP.

(3) Mason Valley/Fernley Area for TSP.

(4) Lower Reese River Valley/Clovers Area for TSP.

(5) Carson Desert for TSP.

(6) Winnemucca Segment for TSP.

(7) Lake Tahoe Basin for CO.

(c) The Administrator hereby extends to December 31, 1987 certain attainment dates for the national standards for CO and O_3 in the following areas;

(1) Truckee Meadows for CO and O_3

(2) Las Vegas Valley for CO.

[46 FR 21767, Apr. 14, 1981, as amended at 46 FR 45607, Sept. 14, 1981; 47 FR 27070, June 23, 1982]

§ 52.1482 Compliance schedules.

(a) [Reserved]

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the state, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Morrison & Weatherly Chemicals, Inc.	McGill	Article 4 Article 7	Feb. 13, 1973	Immediately	Mar. 31, 1974.
Eagle-Picher Industries	Colado & Clark	Article 4 Article 7	do	do	May 31, 1975.
U.S. Gypsum Corp	Empire	Washoe Co. § 040.005, § 040.010, § 040.020.	Jan. 30, 1974	do	May 30, 1975.
Baroid Division National Lead Industries, Inc.	Battle Mountain	Article 4	Jan. 27, 1973	do	Jan. 1, 1975.

(c) The compliance schedule revisions submitted for the sources identified below are disapproved as not meeting the requirement of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption
Jack N. Tedford, Inc	Fallon	Not given	Aug. 14, 1972.
Basic, Inc	Gabbs	Article 4	Feb. 13, 1973.
		Article 7	June 28, 1973.
Duval Corp	Battle Mountain	Article 5	Feb. 13, 1973.
Mohave Generating Station, Southern California Edison Co.	Laughlin	Clark County, Section 16.	Jan. 11, 1973.
		Section 26	July 17, 1973.

[39 FR 14209, Apr. 22, 1974, as amended at 40 FR 3995, Jan. 27, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.1483 Malfunction regulations.

(a) The following regulations are disapproved because they would permit the exemption of sources from applicable emission limitations under certain situations and therefore they do not satisfy the enforcement imperatives of section 110 of the Clean Air Act.

(1) Clark County District Board of Health

(i) Section 25, Rules 25.1–25.1.4.

[49 FR 10259, Mar. 20, 1984]

§ 52.1484 [Reserved]

§ 52.1485 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan, except as it applies to the Clark County Health District, does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulation for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are incorporated and made a part of the applicable State plan for the State of Nevada except for that portion applicable to the Clark County Health District.

(c) All applications and other information required pursuant to § 52.21 from sources located in the jurisdiction of the State of Nevada shall be submitted to the Director, Department of Conservation and Natural Resources, 201 South Fall Street, Carson City, Nevada instead of the EPA Region 9 Office.

[47 FR 26621, June 21, 1982, as amended at 48 FR 28271, June 21, 1983]

§ 52.1486 Control strategy: Hydrocarbons and ozone.

(a) The requirements of Subpart G of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standard for ozone in the Las Vegas Intrastate Region (§ 81.80 of this chapter).

[45 FR 67347, Oct. 10, 1980, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1487 Public hearings.

(a) The requirements of § 51.102 (a) and (e) of this chapter are not met since NAQR, Article 2.11.4.2 allows variances (compliance schedules), to be renewed without a public hearing, thus allowing further postponement of the final compliance date for sources whose emissions contribute to violations of the national standards. Therefore, NAQR, Article 2.11.4.2 is disapproved.

[43 FR 1343, Jan. 24, 1978, as amended at 51 FR 40675, Nov. 7, 1986]

§ 52.1488 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of Nevada.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Nevada.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart EE—New Hampshire

§ 52.1520 Identification of plan.

(a) Title of plan: "State of New Hampshire Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory additions to the plan correcting minor deficiencies submitted on February 23, 1972, by the New Hampshire Air Pollution Control Agency.

(2) Non-regulatory provisions for retention and availability of air quality data submitted on March 23, 1972, by the New Hampshire Air Pollution Control Agency.

(3) Attainment dates of national primary and secondary air quality standards submitted on August 8, 1972, by the New Hampshire Air Pollution Control Agency.

(4) Revision of regulation No. 5, section 111.A, limiting sulfur content of fuels submitted on September 26, 1972, by the New Hampshire Air Pollution Control Agency.

(5) Compliance schedules submitted on February 14, 1973, by the New Hampshire Air Pollution Control Agency.

(6) Compliance schedules submitted on March 22, 1973, by the New Hampshire Air Pollution Control Agency.

(7) Revision exempting steam locomotives from the plan submitted on April 3, 1973, by the New Hampshire Air Pollution Control Agency.

(8) Regulation No. 20 requiring review of indirect sources submitted on December 13, 1973, by New Hampshire Air Pollution Control Agency.

(9) AQMA identification material submitted on May 20, 1974, by the New Hampshire Air Pollution Control Agency.

(10) Miscellaneous revisions to Regulation numbers, 4, 6, 8, 10, 11, 13, 14, and 17 submitted on June 6, 1974, by the New Hampshire Air Pollution Control Agency.

(11) Revision to Regulation 18, "Requirements for Recordkeeping at Facilities which Discharge Air Contaminants," submitted on May 28, 1975, by the New Hampshire Air Pollution Control Agency.

(12) Attainment plans to meet the requirements of Part D for carbon monoxide for Metropolitan Manchester and ozone for AQCR 121, programs for the review of construction and operation of new and modified major stationary sources of pollution in both attainment and non-attainment areas and certain miscellaneous provisions

were submitted on May 29, 1979, November 6, 1979, and March 17, 1980.

(13) Attainment plans to meet the requirements of Part D for total suspended particulates and sulfur dioxide in Berlin were submitted by the Governor of New Hampshire on September 19, 1979.

(14) Revisions to Regulation 5, Prevention, Abatement, and Control of Sulfur Emission from Stationary Combustion Equipment, submitted by the Governor of New Hampshire on July 12, 1973 and April 11, 1975.

(15) A plan to provide comprehensive public participation and an analysis of the effects of the New Hampshire 1979 SIP revisions were submitted on February 28, 1980.

(16) Revised regulations to assure reasonable further progress and compliance by owners of proposed new sources with Federal as well as state regulations were submitted on July 8, 1980.

(17) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR Part 58, was submitted by the New Hampshire Air Resource Agency Director on January 30, 1980.

(18) A plan to attain and maintain the National Ambient Air Quality Standard for lead and to amend the state's air quality standards was submitted on April 15, 1980. A letter further explaining the state procedures for review of new major sources of lead emissions and confirming the use of reference methods was submitted on December 9, 1980 by the Director of the Air Resources Agency.

(19) Revisions to meet the requirements of Part D and certain other sections of the Clean Air Act, as amended, for attaining carbon monoxide standards in the City of Manchester which were submitted on January 12, 1981 and February 18, 1981. The revisions supplement the 1979 CO attainment plan (§ 52.1520(c)(12)) and include three air quality-improving transportation projects and a schedule for submitting a plan which will demonstrate attainment by no later than December 31, 1987.

(20) Revisions to meet ozone attainment requirements of Part D (VOC Control Regulations) were submitted on August 17, 1981 and are approved as follows: Regulations Air 1204.03, 1204.11(d), 1204.12, 1204.13, 1204.18 and 1204.21.

(21) Operating permits with compliance schedules for VOC sources were submitted May 2, 1980, May 16, 1980, November 20, 1981 and January 8, 1982. Approved are operating permits for Mobil Oil Corporation; ATC Petroleum, Inc.; Velcro USA, Inc.; and Nashua Corporation's facility at Nashua.

(22) Revisions to (i) provide a new format and renumber the SIP regulations with associated miscellaneous language changes for purposes of consistency; (ii) to delete redundant regulations and definitions; (iii) amend several regulations; and (iv) to add additional regulations submitted by the New Hampshire Air Resources Commission on June 17, 1982 and August 31, 1982. The federally-approved regulations of the New Hampshire SIP are as follows:

- CHAPTER 100, PART Air 101, Sections Air 101.04-101.26, 101.28-101.30, 101.32-101.49, 101.51, 101.53-101.56, 101.58-101.62, 101.64-101.69, 101.74-101.75, 101.77, 101.79-101.89, 101.91-101.96, 101.98.
- CHAPTER Air 200, PART Air 205.
- CHAPTER Air 300, PARTs Air 301-303.
- CHAPTER Air 400, PARTs Air 401; 402, Sections Air 402.01, 402.03, 402.04; PARTs Air 403-405.
- CHAPTER Air 600, PARTs Air 601-616.
- CHAPTER Air 700, PARTs Air 701-706.
- CHAPTER Air 800, PARTs Air 801-802.
- CHAPTER Air 900, PARTs Air 901-903.
- CHAPTER Air 1000, PART Air 1001.
- CHAPTER Air 1200, PART Air 1201, Sections 1201.01-1201.06, 1201.08-1201.11; PARTs Air 1202; 1203; 1204, Sections 1204.01-1204.16, 1204.18-1204.21; PARTs Air 1205; 1207; 1208.

(23) Carbon monoxide attainment plan revisions for the City of Manchester which meet the requirements of Part D of the Act for 1982 SIP revisions. The revisions were submitted on October 5, 1982 and December 20, 1982 by the New Hampshire Air Resources Agency.

(24) A revision specifying the State will follow Federal permit notice and hearing procedures for applications subject to PSD requirements was submitted by the Air Resources Commission on November 19, 1982.

(25) Revisions to the State Implementation Plan for ozone, consisting of emission limits and compliance schedules for Oak Materials Group, Ideal Tape Co., Markem Corp., Essex Group, and Nashua Corp.'s Merrimack Facility, were submitted on December 23, 1982, December 30, 1982, January 19, 1983, and March 18, 1983.

(26) Revisions to CHAPTER Air 400, Section Air 402.02 (formerly Regulation 5), raising the allowable sulfur-in-oil limit for all but ten sources, were submitted by New Hampshire on July 12, 1973, April 11, 1975, December 21, 1982 and March 29, 1983. The excluded sources are:

1. International Packings Corp., Bristol.
2. Dartmouth College, Hanover.
3. Hinsdale Products Co., Inc., Hinsdale.
4. Groveton Paper Co., Northumberland.
5. James River Corp./Cascade Division, Gorham.
6. Velcro USA, Inc., Manchester.
7. ATC Petroleum, Newington.
8. Anheuser-Busch, Inc., Merrimack.
9. Hoague-Sprague Corp., West Hopkinton.
10. Public Service Co., Manchester Steam, Manchester.

(27) Amendments to Regulation Air 1204.02(c), defining "equivalent" to include "solids-applied basis" and Air 1204.21(j), altering the maximum time for compliance schedule extensions from December 31, 1987 to July 1, 1985 were submitted on August 9, 1983. An additional regulation, Air 1204.17, "Emission Standards for Miscellaneous Metal Parts and Products" was submitted on August 17, 1981.

(28) Revisions to Air 1204.01, updating the list of volatile organic compounds exempted from PART Air 1204, and a revision to Air 101.74, 'Process weight' were submitted on November 10, 1983.

(29) Revisions raising the allowable sulfur-in-oil limit to 2.0% for five sources excluded from revisions to CHAPTER Air 400, Section 402.02 (identified at subparagraph (c)(26) above), submitted on November 1, 1983. The five sources, and the source specific emission limits where applicable, are:

1. International Packings Corp., Bristol.
2. Velcro USA, Inc., Manchester.
3. Dartmouth College, Hanover (Limited to a maximum allowable hourly production of 164,000 pounds of steam.).
4. Sprague Energy-Atlantic Terminal Corp., Newington (Limited to firing any three of four boilers, or if all four boilers are fired, the sulfur content is limited 1.5%.).
5. Hoague-Sprague Corp., Hopkinton (Limited to firing any one of two boilers.)

(30) Revisions to Air 1201.05 adding paragraph (e), concerning hazardous waste incinerators, was submitted on April 9, 1984. Approval of this regulation shall not be construed to supercede New Source Performance Standards; National Emission Standards for Hazardous Air Pollutants; and the regulations controlling emissions from major new or modified stationary sources in attainment and non-attainment areas.

(31) Revisions raising the allowable sulfur-in-oil limit to 2.0% for two sources excluded from revisions to CHAPTER Air 400, Section 402.02 (identified at paragraph (c)(26) of this section), submitted on January 13, 1984. The two sources, and the source specific restrictions at each, are:

(i) Manchester Steam Station, Public Service Company of N.H., Manchester (The auxiliary boiler is allowed to burn 2.0% sulfur oil as long as the main boilers remain inactive. If either or both of the main boilers are reactivated, the maximum sulfur content of oil burned in any boiler shall not exceed 1.7% by weight. In addition, each main boiler shall not operate until its stack height is increased to 45 m.)

(ii) Hinsdale Products Co., Inc., Hinsdale (Limited to a maximum hourly fuel firing rate of 213 gallons.)

(32) A revision submitted on December 22, 1983 which requires Markem Corporation to install an incinerator. The installation of the incinerator must be completed by July 1, 1985.

(33) The TSP plan to attain primary standards in Berlin, New Hampshire and the administrative order issued May 2, 1984 to the James River Corporation which were submitted by the Air Resources Agency on May 9, 1984.

(34) Revisions to Part (Air) 610 of Chapter 600, "Statewide Permit System" for the preconstruction per-

mitting of new major sources and major modifications in nonattainment areas submitted on April 9, 1984 and September 10, 1984 by the New Hampshire Air Resources Commission.

(35) A revision to approve operating limits for boilers at Dartmouth College, submitted on May 19, 1986 by the Director of the New Hampshire Air Resources Agency.

(i) Incorporation by reference.

(A) Permits to Operate issued by the State of New Hampshire Air Resources Agency to Dartmouth College, No. PO-B-1501.5, No. PO-B-1502.5, and No. PO-B-1503.5, and Temporary Permit TP-B-150.2, 3, and 4, dated January 6, 1986.

(36) Approval of a revision to allow the James River Corporation (Cascade Mill), Gorham, to burn oil having a 2.2% sulfur-by-weight limit in accordance with previously approved SIP regulation Chapter Air 400, Section Air 402.02, submitted on February 11, 1985. This source was excluded from revisions pertaining to New Hampshire regulation Chapter Air 400, Section Air 402.02 (identified at paragraph (c)(26) of this section), but New Hampshire has now submitted adequate technical support for approval.

(37) Revisions to the State Implementation Plan submitted on April 26, 1985, January 20, 1986 and May 12, 1987 by the Air Resources Commission.

(i) Incorporation by reference:

(A) Letter dated April 26, 1985 from the New Hampshire Air Resources Commission submitting revisions to the State Implementation Plan for EPA approval.

(B) Revisions to New Hampshire Code of Administrative Rules, Part Air 704.01, "Permit Review Fee for Large Fuel Burning Devices," Part Air 704.02, "Permit Review Fee for All Other Devices," Part Air 706.01, "Renewal Review Fee For Large Fuel Burning Devices," Part Air 706.02, "Renewal Review Fee For All Other Devices," Part Air 1202, "Fuel Burning Devices," effective on December 27, 1984.

(C) Certification from the State of New Hampshire dated April 26, 1985.

(D) Letter from the State of New Hampshire dated January 20, 1986.

(E) Letter from the State of New Hampshire dated May 12, 1987.

(38) Approval of a revision to allow the James River Corporation, Groveton, to burn oil having a 2.2% sulfur-by-weight limit in accordance with previously approved SIP regulation CHAPTER Air 400, Section Air 402.02, submitted on January 22, 1986. This source was previously excluded from revisions pertaining to New Hampshire regulation CHAPTER Air 400, Section Air 402.02 (identified at paragraph (c)(26) of this section), but New Hampshire has now submitted adequate technical support for approval.

(i) Incorporation by reference.

(A) The conditions in the following five Permits to Operate issued by the State of New Hampshire Air Resources Agency on September 6, 1985, to the James River Corporation—Groveton Group: Permit No. PO-B-1550, Conditions 5B, 5C, and 5D; Permit No. PO-B-213, Conditions 2 and 5A; Permit No. PO-B-214, Conditions 2 and 5A; Permit No. PO-B-215, Conditions 2 and 5A; and Permit No. PO-BP-2240, Condition 5B. These conditions limit the sulfur-in-fuel content at the James River Corporation, Groveton, to 2.2% sulfur by weight.

[37 FR 10879, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1520, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1521 Classification of regions.

The New Hampshire plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Androscoggin Valley Interstate	IA	IA	III	III	III
Central New Hampshire Intrastate	III	III	III	III	III

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III

[37 FR 10879, May 31, 1972, as amended at 45 FR 24876, Apr. 11, 1980]

§ 52.1522 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves New Hampshire's plan as identified in § 52.1520 of this subpart for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below.

(b) To insure Federal approval of State issued new source review permits pursuant to section 173 of the Clean Air Act, the provisions of Section V of the emission offset interpretative rule published January 16, 1979, (44 FR 3274) must be met.

[45 FR 24876, Apr. 11, 1980, as amended at 48 FR 50078, Oct. 31, 1983]

§ 52.1523 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in New Hampshire's plan.

Nonattainment areas [1]	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Androscoggin Valley Interstate AQCR 107:							
Berlin	g	f	f	f	a	a	a
Remainder of AQCR	a	b	a	b	a	a	a
Merrimack Valley-SO NH Interstate 121:							
Keene	a	b	a	b	a	a	d
Manchester	a	c	a	b	a	h	d
Nashua	a	b	a	b	e	e	d
Remainder of AQCR	a	b	a	b	a	a	d
AQCR 149	a	b	a	b	a	a	a

a. Air quality level presently below primary standards or area is unclassifiable.

b. Air quality level presently below secondary standards or area is unclassifiable.

c. Eighteen month extension for plan submittal granted; attainment date not yet proposed.

d. December 31, 1982.

e. Redesignation to non-attainment. Nine months granted for submission of an attainment plan; attainment date not yet proposed.

f. December 31, 1981.

g. August 31, 1985.

h. December 31, 1987.

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1523 (1978).

[45 FR 24876, Apr. 11, 1980, as amended at 50 FR 51250, Dec. 16, 1985; 51 FR 21550, June 13, 1986]

§ 52.1524 Compliance schedules.

(a) Compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Brown Co	Berlin	No. 5	Sept. 22, 1972	Immediately	Sept. 30, 1973.
Groveton Papers Co	Groveton	......do	......do	......do	Do.
Yield House, Inc	North Conway	No. 7	May 14, 1973	......do	Jan. 31, 1974.
Newman Lumber Co	Woodsville, N.H	......do	May 15, 1973	......do	July 1, 1973.
Milan Industries, Inc	Berlin, N.H	......do	......do	......do	July 1, 1974.
Northeast Hardwoods Co	North Haverhill, N.H.	......do	May 14, 1973	......do	Apr. 1, 1974.
Conway Supply Co	Conway, N.H	......do	......do	......do	Nov. 15, 1974.
Manchester Incinerator	Manchester, N.H.	No. 6	......do	......do	Jan. 1, 1974.
Markem Corporation	Keene, NH	No. 1204.05	Feb. 10, 1984	Feb. 19, 1981	July 1, 1985.

(b) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(c) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption
Brown Co	Berlin, N.H	No. 15	May 14, 1973.

(d) Federal compliance schedules. The compliance schedules for the sources identified below are promulgated herein in satisfaction of the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Effective date	Final compliance date
Brown Co.:				
(a) No. 11 Kraft recovery	Berlin, N.H	15	Immediately	Jan. 1973.
(b) No. 11 Kraft recovery	......do	15	......do	Jan. 1974.
(c) No. 8 Kraft recovery boiler main stack	......do	15	......do	July 1974.
(d) No. 8 Kraft recovery smelt tank vent	......do	15	......do	Dec. 1974.
(e) Heavy black liquor oxidation	......do	15	......do	June 1974.
(f) No. 1 lime kiln stack	......do	15	......do	Jan. 1973.
(g) No. 2 lime kiln stack	......do	15	......do	Dec. 1974.

[38 FR 12713, May 14, 1973, as amended at 38 FR 16145, June 20, 1973; 38 FR 22744, Aug. 23, 1973; 49 FR 38102, Sept. 27, 1984; 51 FR 40676, 40677, Nov. 7, 1986]

§ 52.1525 EPA-approved New Hampshire state regulations.

The following table identifies that State regulations which have been submitted to and approved by EPA as revisions to the New Hampshire State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.1520. To the extent that this table conflicts with § 52.1520, § 52.1520 governs.

TABLE 52.1525—EPA APPROVED RULES AND REGULATIONS [1]—NEW HAMPSHIRE

Title/subject	State citation chapter	Date adopted by State	Date approved by EPA	Federal Register citation	52.1520	Comments
Organizational rules: Definitions.	NH APCC regulations (all)	1/19/72	5/31/72	37 FR 10879.	(b)	See footnote 2.

TABLE 52.1525—EPA APPROVED RULES AND REGULATIONS [1]—NEW HAMPSHIRE—Continued

Title/subject	State citation chapter	Date adopted by State	Date approved by EPA	Federal Register citation	52.1520	Comments
		3/21/74	11/20/75	40 FR 53999.	(c)(10)	
		4/26/79	4/11/80	45 FR 24869.	(c)(12)	
	CH air 100	12/17/81	3/15/83	48 FR 10830.	(c)22	Approved CH Air 100.01-.98 except for no action on .01- .03; .27; .31; .50; .52; .57; .63; .70- .73; .76; .78; .90; .97 and Part Air 102 and Air 103.
		7/21/83	2/1/84	49 FR 3989	(c)(28)	Def. of process weight Part Air 101.74.
Procedural rules: Permit notice and hearing procedures.						Prior to 3/15/83, 205.01-.09 were part of the SIP narrative. See footnote 2.
	CH air 200, part air 205.	12/17/81	3/15/83	48 FR 10830.	(c)(22)	Part Air 205.01-205.09 only.
		10/21/82	4/21/83	48 FR 17077.	(c)(24)	Part Air 205.10 added.
Ambient air quality standards.	NH APCC regulation 11.	1/19/72	5/31/72	37 FR 10879.	(b)	See footnote 2.
		3/21/74	11/20/75	40 FR 53999.	(c)(10)	
		2/21/80	7/15/81	46 FR 36699.	(c)(18)	
	CH air 300	12/17/81	3/15/83	48 FR 10830.	(c)(22)	Part Air 301, 302 and 303. No action on Part 304, Fluorides.
Sulfur content limit in fuels	NH APCC regulation 5.	4/15/70	5/31/72	37 FR 10879.	(b)	See Footnote 2.
		9/19/79	6/23/80	45 FR 41942.	(c)(13)	Approved only for Brown Co., Berlin.
	CH air 400	12/17/81	3/15/83	48 FR 10830.	(c)(22)	Part Air 401; 402.01; 402.01; 402.03-402.04; 403-405.
		2/20/75	3/23/84	49 FR 11094.	(c)(26)	Statewide SO2 reg. Part Air 402.02.
		10/20/83	8/7/84	49 FR 31415.	(c)(29)	Revision to Part Air 402.02.
		12/15/83	8/1/84	49 FR 30695.	(c)(31)	Revision to Part Air 402.02.
		4/17/86	2/2/87	52 FR 3118	(c)(35)	Revision for Dartmouth College.
			4/15/87	52 FR 12164.	(c)(36)	Approval of 2.2% sulfur-in-oil limit for James Rive Corp-Cascade.
			12/14/87	52 FR 47392.	(c)(38)	Approval of 2.2% sulfur-in-oil limit for James Rive, Groveton.
Statewide permit system	NH APCC regulation 16.	1/19/72	5/31/72	37 FR 10879.	(b)	See footnote 2.
		4/26/79	4/11/80	45 FR 24869.	(c)(12)	
		6/19/80	9/22/80	45 FR 62814.	(c)(16)	Revoked Reg 16, Attachment #1 (PSD).

TABLE 52.1525—EPA APPROVED RULES AND REGULATIONS [1]—NEW HAMPSHIRE—Continued

Title/subject	State citation chapter	Date adopted by State	Date approved by EPA	Federal Register citation	52.1520	Comments
	CH air 600	12/17/81	3/15/83	48 FR 10830	(c)(22)	Part Air 601-616, except 609 which was revoked in (c)(18) above.
		1/26/84	3/13/85	3/13/85	(c)(34)	
Permit fee system	NH APCC regulation 10.					Attachment #3
	CH air 700	12/17/81	3/15/83	48 FR 10830.	(c)(22)	Part Air 701-706.
		12/20/84	9/17/87	52 FR 35082	(c)(37)	Part Air, 704.01, 704.02 706.01 and 706.02
Testing requirements	NH APCC most regulations.	1/19/72	5/31/72	37 FR 10879	(b)	See footnote 2.
		3/21/74	11/20/75	40 FR 53999	(c)(10)	
	CH air 800	12/17/81	3/15/83	48 FR 10830.	(c)(22)	Part Air 801 and 802. Part Air 803 is not part of the federally approved SIP.
Owner or operator obligations	NH APCC various regulations.	1/19/72	5/31/72	37 FR 10879.	(b)	See footnote 2.
		3/21/74	11/20/75	40 FR 53999	(c)(10)	
		3/20/75	1/21/76	41 FR 3085	(c)(11)	
	CH air 900	12/17/81	3/15/83	48 FR 10830	(c)(22)	Part Air 901-903.
Prevention, abatement and control of open source air pollution.	NH APCC regulation 12	1/19/72	5/31/72	37 FR 10879.	(b)	See footnote 2.
	CH air 1000	12/17/81	3/15/83	48 FR 10830.	(c)(22)	Part Air 1001. Part Air 1002 is not part of the federally-approved SIP.
Prevention, abatement and control of stationary source air pollution.	NH APCC regulations 4, 6, 7, 8, 10, 13, 14, 22.	1/19/72	5/31/72	37 FR 10879.	(b)	See footnote 2.
		3/21/74 5/16/74	11/20/75	40 FR 53999.	(c)(10)	
		4/26/79	4/11/80	45 FR 24869.	(c)(12)	
			12/30/82	47 FR 58251.	(c)(20)	
	CH air 1200	12/15/77 6/17/82	3/15/83	48 FR 10830.	(c)(22)	Part Air 1201 (except Sect. Air 1201.07) through Part Air 1206; Part Air 1207 and 1208. Part Air 1208 is not part of the federally-approved SIP.
		2/19/80	10/31/83	48 FR 50077.	(c)(27)	Part Air 1204.02(c) and 1204.21(j).
		7/21/83	2/1/84	49 FR 3989	(c)(28)	Exemption of non-reactive VOCs (1204.01).
		2/16/84	6/1/84	49 FR 24724.	(c)(30)	Part Air 1201.05(e) added.
		12/20/84	9/17/87	52 FR 35082.	(c)(37)	Part Air 1202.

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[1] These regulations are applicable statewide unless otherwise noted in the COMMENTS section.

[a] For each TITLE/SUBJECT this table first lists regulations adopted as of 1972. In the 3/15/82 approval, the existing NH regulations were readopted and recodified into the CHAPTER-PART-Section format indicated above, e.g., former Regulation 22 "Prevention, Abatement and Control of Volatile Organic Compound Emissions" is now incorporated in CHAPTER 1200 PART 1204 Sections 12.04.01-.21. Where it was possible to easily cross-reference the old citation with the new this was done. However, in cases where it would have been cumbersome to cross-reference the old citation with the new citation, no attempt was made to reference the old citation.

[50 FR 767, Jan. 7, 1985, as amended at 50 FR 10005, Mar. 13, 1985; 52 FR 3118, Feb. 2, 1987; 52 FR 12164, Apr. 15, 1987; 52 FR 35082, Sept. 17, 1987; 52 FR 47393, Dec. 14, 1987]

§ 52.1526 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met, since New Hampshire Air Pollution Control Regulation number 18, section III.D could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section III.D is disapproved.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1527 Rules and regulations.

(a) [Reserved]

(b) Non-Part D—No Action—EPA is neither approving or disapproving the following elements of the revisions:

(1) Intergovernmental consultations

(2) Stack height requirements

(3) Public notification

(4) Conflict of Interest

(5) Non-SIP regulations' numbers listed below:

- CHAPTER Air 100, PART Air 101, sections 101.01-101.03, 101.27, 101.31, 101.50, 101.52, 101.57, 101.63, 101.70-101-73, 101.76, 101.78, 101.90, 101.97; PARTs Air 102-103.
- CHAPTER Air 200, PARTs Air 201-204; PARTs Air 206-210.
- CHAPTER Air 300, PART Air 304.
- CHAPTER Air 500.
- CHAPTER Air 800, PART Air 803.
- CHAPTER Air 1000, PART Air 1002.
- CHAPTER Air 1100.
- CHAPTER Air 1200, PART Air 1201, section 1201.07; PART Air 1206.

[48 FR 10833, Mar. 15, 1983, as amended at 48 FR 48665, Oct. 20, 1983; 50 FR 51250, Dec. 16, 1985]

§ 52.1528 Maintenance of national standards.

(a) Based upon information submitted by the State of New Hampshire, the Administrator does not identify any areas pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of national ambient air quality standards within 10 years.

[40 FR 23755, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1529 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of New Hampshire.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.1530 Extensions.

The Administrator hereby extends for 18 months (until July 1, 1980) the statutory time table for submission of New Hampshire's plan for attainment and maintenance of the secondary standard for particulate matter in the Manchester secondary standard nonattainment area (See 40 CFR 81.330).

[45 FR 24876, Apr. 11, 1980]

§ 52.1531 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of New Hampshire.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of New Hampshire.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

§ 52.1532 Stack height review.

The State of New Hampshire has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on March 21, 1986. The State has further declared in a letter from Dennis Lunderville, dated July 25, 1986, that, "As part of our new source review activities under the New Hampshire SIP and our delegated PSD authority, the New Hampshire Air Resources Agency will follow EPA's stack height regulation as revised in the FEDERAL REGISTER on July 8, 1985 (50 FR 27892)." Thus, New Hampshire has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

Subpart FF—New Jersey

§ 52.1570 Identification of plan.

(a) Title of plan: "New Jersey State Implementation Plan to meet National Air Quality Standards."

(b) The plan was officially submitted on January 26, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory additions to the plan submitted on April 17, 1972, by the New Jersey Department of Environmental Protection.

(2) List of permits issued to sources allowing them particulate emissions in excess of 25 tons per year submitted on May 15, 1972, by the New Jersey Department of Environmental Protection.

(3) Legal opinion of State Attorney General on State's authority to make available to the public emission data reported by sources submitted on June 23, 1972, by the New Jersey Department of Law and Public Safety.

(4) Copies of the permits and certificates issued to sources exceeding 25 tons per year of particulate emissions submitted on July 6, 1972, by the New Jersey Department of Environmental Protection.

(5) Revisions correcting deficiencies in the new source review procedure submitted on March 22, 1973, by the Governor.

(6) Legal opinion of the State Attorney General on the State's authority to deny a permit to construct or modify a source submitted on April 18, 1973, by the New Jersey Department of Environmental Protection.

(7) Revision to sulfur-in-fuel regulation, section 7:1-3.1 of New Jersey Air Pollution Control Code, submitted on November 20, 1973, by the New Jersey Department of Environmental Protection.

(8) Revision to the control of open burning regulation, section 7:27-2.1 of the New Jersey Air Pollution Control Code, submitted on November 19, 1975, by the New Jersey Department of Environmental Protection.

(9) Letter, dated January 16, 1976, from the New Jersey Department of Environmental Protection stating that there would be no net increase in hydrocarbon emissions as a result of the revisions to N.J.A.C. 7:27-2.1.

(10) Regulation entitled: "Control and Prohibition of Air Pollution by Volatile Organic Substances," New Jersey Administrative Code (N.J.A.C.) 7:27-16.1 et seq., submitted on January 8, 1976 by the New Jersey Department of Environmental Protection.

(11) Technical justification supporting N.J.A.C. 7:27-16 et seq. submitted on March 3, 1976.

(12) Revisions consisting of 16 administrative orders issued pursuant to the New Jersey Administrative Code (N.J.A.C.) 7:27-9.5(a) and technical support for these orders received on April 27, 1976 from the New Jersey Department of Environmental Protection.

(13) An administrative order directed to Hunt-Wesson Foods, Inc. in Bridgeton, Cumberland County and issued pursuant to the New Jersey Administrative Code (N.J.A.C.) 7:27-9.5(a), dated June 15, 1976, and technical support for this order received by EPA on April 27, 1976, both from the New Jersey Department of Environmental Protection.

(14) Revision to the Permits and Certificates regulation of the New Jersey Air Pollution Control Code,

N.J.A.C. 7:27-8.1 et seq., submitted on June 8, 1976 by the New Jersey Department of Environmental Protection.

(15) Revision consisting of an administrative order issued on September 14, 1976 to Owens Illinois, Inc., Cumberland County, New Jersey pursuant to the New Jersey Administrative Code (N.J.A.C.) 7:27-9.5(a) and submitted on September 17, 1976 by the New Jersey Department of Environmental Protection.

(16) A revision submitted by the New Jersey Department of Environmental Protection consisting of an October 27, 1976 letter indicating the extension, to July 12, 1977, of "variances" to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27-9.1 et seq., Sulfur in Fuel, for 18 facilities; and supplemental technical information submitted in a November 22, 1976 letter. The extended "variances" including all their terms and conditions are made a part of the New Jersey State Implementation Plan. The facilities affected by these "variances", their location and applicable sulfur in fuel oil limitation until July 12, 1977 are as follows:

Source	Location	Sulfur in fuel oil limitation (percent by weight)
National Bottle Corp	Salem City, Salem County.	2.0
E. I. du Pont de Nemours & Co.	Deepwater, Salem County.	1.5
Heinz-USA	Salem City, Salem County.	2.0
B. F. Goodrich Chemical Co.	Pedricktown, Salem County.	1.5
Anchor Hocking Corp	Salem City, Salem County.	2.0
Atlantic City Electric Deepwater Station.	Penns Grove, Salem County.	1.5
E. I. du Pont de Nemours & Co.	Carney's Point, Salem County.	1.5
Mannington Mills, Inc	Salem City, Salem County.	2.0
Atlantic City Electric B. L. England Station.	Beesley Point, Cape May County.	2.0
Hunt Wesson Foods, Inc.	Bridgeton City, Cumberland County.	2.5
Kerr Glass Manufacturing Corp.	Millville City, Cumberland County.	2.5
Owens Illinois, Inc., Kimble Products Division.	Vineland City, Cumberland County.	2.5
Leone Industries	Bridgeton City, Cumberland County.	2.5
Owens Illinois, Inc	do	1.5
Progresso Food Corp	Vineland City, Cumberland County.	2.5
Bridgeton Dying & Finishing Corp.	Bridgeton City, Cumberland County.	2.5
Whitehead Bros. Co	Haleyville, Cumberland County.	2.5
Vineland Chemical Co	Vineland City, Cumberland County.	2.5

(17) A revision submitted by the New Jersey Department of Environmental Protection consisting of a January 10, 1978 letter indicating the extension, to July 12, 1978, of "variances" to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27—9.1 et seq., Sulfur in Fuel, for 17 facilities and accompanying supplemental information. The extended "variances" including all their terms and conditions are made a part of the New Jersey State implementation plan. The facilities affected by these "variances," their locations, and applicable sulfur-in-fuel-oil limitations until July 12, 1978 are as follows:

Source	Location	Sulfur in fuel oil limitation (percent by weight)
National Bottle Corp	Salem City, Salem County.	2.0
E. I. du Pont de Nemours & Co.	Deepwater, Salem County.	1.5
Heinz-U.S.A	Salem City, Salem County.	2.0
B. F. Goodrich Chemical Co.	Pedricktown, Salem County.	1.5
Anchor Hocking Corp	Salem City, Salem County.	2.0
Atlantic City Electric, Deepwater Station.	Penns Grove, Salem County.	1.5
E. I. du Pont de Nemours & Co.	Carney's Point, Salem County.	1.5
Mannington Mills, Inc	Salem City, Salem County.	2.0
Atlantic City Electric, B. L. England Station.	Beesley Point, Cape May County.	2.0
Kerr Glass Manufacturing Corp.	Millville City, Cumberland County.	2.5
Owens Illinois, Inc., Kimble Products Division.	Vineland City, Cumberland County.	2.5

Source	Location	Sulfur in fuel oil limitation (percent by weight)
Leone Industries	Bridgeton, Cumberland County.	2.5
Progresso Food Corp	Vineland City, Cumberland County.	2.5
Bridgeton Dyeing & Finishing Corp.	Bridgeton City, Cumberland County.	2.5
Vineland Chemical Co	Vineland City, Cumberland County.	2.5
Hunt-Wesson Foods, Inc.	Bridgeton, Cumberland County.	2.5
Owens Illinois, Inc	do	1.5

(18) A revision submitted by the New Jersey Department of Environmental Protection consisting of a June 26, 1978 letter indicating the extension, to January 12, 1979 or until such time as the State places into effect revised permanent sulfur-in-fuel-oil regulations, of "variances" to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27-9.1 *et seq., Sulfur in Fuel*, for 17 facilities and accompanying supplemental information. The extended "variances" including all their terms and conditions are made a part of the New Jersey State Implementation Plan. The facilities affected by these "variances", their locations, and applicable sulfur-in-fuel-oil limitations until January 12, 1979 or until such time as the State places into effect and EPA approves revised permanent sulfur-in-fuel-oil regulations are as follow:

Source	Location	Sulfur in fuel oil limitation (percent by weight)
National Bottle Corp	Salem City, Salem County.	2.0
E. I. du Pont de Nemours & Co.	Deepwater, Salem County.	1.5
Heinz—U.S.A	Salem City, Salem County.	2.0
B. F. Goodrich Chemical Co.	Pedricktown, Salem County.	1.5
Anchor Hocking Corp	Salem City, Salem County.	2.0
Atlantic City Electric, Deepwater Station.	Penns Grove, Salem County.	1.5
E. I. du Pont de Nemours & Co.	Carney's Point, Salem County.	1.5
Kennington Mills, Inc	Salem City, Salem County.	2.0
Atlantic City Electric, B. L. England Station.	Beesley Point, Cape May County.	2.0
Kerr Glass Manufacturing Corp.	Millville City, Cumberland County.	2.5
Owens Illinois, Inc., Kimble Products Division.	Vineland City, Cumberland County.	2.5
Leone Industries	Bridgeton, Cumberland County.	2.5
Progresso Food Corp	Vineland City, Cumberland County.	2.5
Bridgeton Dyeing and Finishing Corp.	Bridgeton City, Cumberland County.	2.5
Vineland Chemical Co	Vineland City, Cumberland County.	2.5
Hunt-Wesson Foods, Inc.	Bridgeton, Cumberland County.	2.5
Owens Illinois, Inc	do	1.5

(19) A revision submitted by the New Jersey Department of Environmental Protection on July 6, 1978 consisting of amendments to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27-10.1 *et seq., Sulfur in Coal*, and accompanying supplemental information.

(20) A revision consisting of all but one of the sections of the revised regulation, N.J.A.C. 7:27-6.1 *et seq.*, submitted by the New Jersey Department of Environmental Protection with a March 31, 1977 cover letter which also transmitted the basis and background document and the Report of the Public Hearing. The one section that is not approved as submitted by the State is Section 6.5, "Variances."

(21) A revision submitted by the New Jersey Department of Environmental Protection on August 10, 1978 consisting of amendments to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27-9.1 *et seq., Sulfur in Fuels*, and accompanying supplemental information.

(22) A comprehensive revision for nonattainment areas entitled, "Proposed New Jersey State Implementation Plan for the Attainment and Maintenance of Air Quality Standards," submitted, as required by Part D of the Clean Air Act, on December 29, 1978 by the New Jersey Department of Environmental Protection.

(23) Supplementary submittals, pertaining to the plan revision for nonattainment areas required by Part D of the Clean Air Act, from the New Jersey Department of Environmental Protection as follows:

A package dated April 17, 1979 from the New Jersey Department of Environmental Protection to EPA entitled, "N. J. SIP Supplement 1," and covering the State's schedule for future actions, expected costs and sources of funding, ongoing consultation process, graphical representation of reasonable further progress, schedule for promulgation of emission offset rule, commitment to adoption of tall stack policy and comments on EPA's proposed tall stack policy, discussion and schedule for resolution of the Bridgeton particulate downwash problem, summary of particulate emissions inventories for non-attainment areas, request for extension for submittal of SIP for secondary TSP standard, and expanded explanation of current I/M program.

A Supplement 2 to the proposed SIP revision consisting of a cover letter dated June 20, 1979 and four attachments from the New Jersey Department of Environmental Protection to EPA covering a proposed version of the State's new source review regulation, a discussion of reasonable further progress with respect to volatile organic substance sources, the design values for ozone in the Metropolitan New York and Metropolitan Philadelphia Interstate Air Quality Control Regions, and a proposed version of the State's regulation for the control of volatile organic substances (VOS).

A submittal dated July 5, 1979 from the New Jersey Department of Environmental Protection to EPA covering the State's draft regulation controlling VOS, operating and maintenance procedures for open top tanks and surface cleaners covered under the State's draft VOS control regulation, and evaporative losses from VOS storage tanks.

A package consisting of a cover letter dated October 3, 1979 from the New Jersey Department of Environmental Protection to EPA and an accompanying report covering an analysis of the Bridgeton particulates downwash problem and the State's effort to execute memoranda of understanding with its Metropolitan Planning Organization.

A cover letter received by EPA dated October 19, 1979 from the New Jersey Department of Environmental Protection together with the State's adopted regulation for control of VOS, N.J.A.C. 7:27-16.1 *et seq.*, and "Report of Public Hearing and Basis for Promulation."

A package consisting of a letter dated January 9, 1980 from the New Jersey Department of Environmental Protection to EPA covering the conditions on SIP approval which were listed by EPA in the proposed rulemaking notice for the SIP revision and four references covering the October 3, 1979 Bridgeton particulates analysis, an updated Bridgeton particulates analysis, and an energy analysis of certain VOS controls called for in N.J.A.C. 7:27-16.1 *et seq.* justifying the State's position on seasonal variances for certain VOS sources.

(24) A supplementary submittal, dated February 27, 1980 from the New Jersey Department of Environmental Protection consisting of five memoranda of understanding among the New Jersey Departments of Environmental Protection and Transportation and the following metropolitan planning organizations:

Atlantic County Urban Area Transportation Study
Cumberland County Urban Area Transportation Study
Delaware Valley Regional Planning Commission
Philipsburg Urban Area Transportation Study
Wilmington Metropolitan Area Planning Council

(25) Supplementary submittals, dated March 5, April 9 and April 10 from the New Jersey Department of Environmental Protection consisting of test methods to be used in determining compliance with the provisions of N.J.A.C. 7:27-16.1 *et seq.*, "Control and Prohibition of Air Pollution by Volatile Organic Substances."

(26) A supplementary submittal, dated April 22, 1980, from the New Jersey Department of Environmental Protection and the New Jersey Department of Transportation consisting of three documents entitled "The Transportation Planning Process in New Jersey," "Summary of Financial Resources for Transportation-Air Quality Planning," and "Program for Selection of Needed Transportation Control Measures, April 1980."

(27) A supplementary submittal dated August 5, 1980 from the New Jersey Department of Environmental Protection consisting of revisions to Subchapter 18 of the New Jersey Administrative Code, entitled, "Control and Prohibitions of Air Pollution from Ambient Air Quality in Nonattainment Areas" (Emission Offset Rule), N.J.A.C. 7:27-18.1 *et seq.*

(28) A supplementary submittal from the State of New Jersey Department of Environmental Protection, consisting of an Ambient Air Quality Monitoring SIP revision dated August 1.

(29) A June 30, 1980 submittal by the New Jersey Department of Environmental Protection (NJDEP) consisting of an Amended Consent Order entered into by NJDEP and the Atlantic City Electric Company. This revision to the New Jersey State Implementation Plan establishes a construction and testing schedule designed to bring units 1 and 2 at Atlantic City Electric Company's B.L. England Generating Station at Beesley's Point, New Jersey, into compliance with New Jersey Administrative Code (N.J.A.C.) 7:27-3.1 *et seq.*, Control and Prohibition of Smoke from Combustion of Fuel; N.J.A.C. 7:27-4.1 *et seq.*, Control and Prohibition of Particulates from Combustion of Fuel; and N.J.A.C. 7:27-10.1 *et seq.*, Sulfur in Coal, by March 31, 1982 and June 1, 1982, respectively.

(30) A supplementary submittal dated April 27, 1981, from the New Jersey Department of Environmental Protection consisting of newly adopted revisions to a regulation concerning the Control and Prohibition of Open Burning, N.J.A.C. 7:27-21 *et seq.*, an Order of Adoption, the Report of Public Hearing, and the Basis for the Proposed Amendments.

(31) A supplementary submittal dated July 8, 1981, from the New Jersey Department of Environmental Protection consisting of newly adopted revisions to Subchapter 10, Sulfur in Solid Fuels, N.J.A.C. 7:27-10.1 *et seq.*, an Order of Adoption, the Report of Public Hearing, and the Basis for the Proposed Amendments.

(32) Revisions submitted on March 17, 1982 and April 27, 1982 by the New Jersey State Department of Environmental Protection which grant "cullet variances" to furnace number 2 of the Anchor Hocking Corporation's Salem plant and furnaces G, Y, J, K, L, M, R of the Owens-Illinois, Inc. Vineland plant. The "cullet variances" will remain in effect for up to two years from August 10, 1982.

(33) A revision submitted by the New Jersey Department of Environmental Protection on December 16, 1982 consisting of amendments to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27-9.1 *et seq.*, *Sulfur in Fuels*, to provide for "sulfur dioxide bubbles" and "clean conversion incentives."

(34) Revisions to the New Jersey State Implementation Plan submitted on November 23, 1982, January 18, 1983, February 14, 1983, July 11, 1983, July 28, 1983 and September 26, 1983 by the New Jersey Department of Environmental Protection.

(35) A supplementary submittal dated July 11, 1983, from the Department of Environmental Protection consisting of adopted revisions to: Subchapter 3—"Control and Prohibition of Smoke from Combustion of Fuel," dated October 12, 1977, Subchapter 4—"Control and Prohibition of Particles from Combustion of Fuel," dated October 12, 1977, and Subchapter 5—"Prohibition of Air Pollution," dated October 12, 1977, of Title 7, Chapter 27 of the New Jersey Administrative Code; the proposed Regulatory Amendments; the Report of the Public Hearing; and the Order of Adoption.

(36) A revision submitted by the New Jersey Department of Environmental Protection to allow U.S. Gypsum Co. temporarily to burn fuel oil with a sulfur content of 2.0 percent, by weight, at either Boiler #1, #2, or #3 at its Clark, New Jersey plant. The New Jersey submittal consists of an April 14, 1983 letter transmitting a State issued February 14, 1983 Public Notice and a letter dated March 14, 1983 transmitting an Administrative consent order detailing procedures to be used by the State to determine compliance. This revision will remain in effect until March 31, 1985 or until Boiler #4 is ready to burn coal, whichever occurs first.

(37) Three permanently adopted regulations were submitted on January 27, 1984 and February 1, 1984 regarding the operation of the inspection and maintenance program. These regulations pertain specifically to operating procedures for private inspection stations (New Jersey Administrative Code (N.J.A.C.) 13:20-33.1, 33.2, 33.50, and 33.51.), mechanic certification requirements (N.J.A.C. 13:20-32.4, 32.14,

and 32.15), and specifications for exhaust gas analyzers (N.J.A.C. 7:27-15.1).

(38) The New Jersey State Implementation Plan for attainment and maintenance of the lead standards was submitted on May 1 and August 15, 1984, and on April 22, April 29, May 17, and July 16, 1985 by the New Jersey Department of Environmental Protection.

(i) Incorporated by reference.

(A) Revisions to N.J.A.C. 7:27-8, "Permits and Certificates," effective April 5, 1985.

(B) Revisions to N.J.A.C. 7:27-13, "Ambient Air Quality Standards," effective June 25, 1985.

(C) Revisions to N.J.A.C. 7:27-18, "Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rule)," effective March 11, 1985.

(D) A July 16, 1985 letter from the Department of Environmental Protection; with attachment of letter dated July 15, 1985, contains schedules for revising N.J.A.C. 7:27-6, "Control and Prohibition of Particles from Manufacturing Process," to incorporate maximum allowable emission rates for lead and for adopting a new section, N.J.A.C. 7:27-19, to govern the combustion of liquid fuels, if necessary.

(E) "RACT-plus studies" to determine strategies to eliminate violation of the lead standards in the vicinity of Heubach, Inc., Newark and Delco Remy, New Brunswick will be completed by November 1, 1985 and control measures will be selected by January 1986.

(ii) Additional material.

(A) Narrative submittal of the Lead SIP, including attainment demonstration, air quality data and summary of both current and projected lead emissions.

(39) A revision to the plan for attainment of the particulate matter standards submitted by the New Jersey Department of Environmental Protection on February 21, March 14, and November 18, 1985.

(i) Incorporation by reference.

(A) Revisions to N.J.A.C. 7:27-14, "Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles," effective July 1, 1985.

(B) Adoption of a new section of N.J.A.C. 7:27B-4 entitled "Air Test Method 4, Testing Procedures for Motor Vehicles," effective July 1, 1985.

(C) The following sections of N.J.A.C. 16:53 "Autobus Specifications which was effective on October 17, 1983:

Subchapter 3, Autobus Specifications
  3.23 Certificate of Inspection
  3.24 Maintenance and inspection
  3.27 Exhaust Systems
Subchapter 6, Autobus Specifications for Small Bus
  6.15 Exhaust System
  6.21 Certificate of Inspection
  6.30 Maintenance and inspection
Subchapter 7, Specifications for Special Autobus Type Recreational Vehicles
  7.14 Exhaust Systems
  7.17 Certificate of Inspection
  7.23 Maintenance and inspecion
Subchapter 8, Specifications for Sedan Type Autobuses
  8.15 Exhaust System
  8.22 Certificate of Inspection
  8.25 Maintenance and inspection

(40) A revision to the New Jersey State Implementation Plan for attainment and maintenance of the ozone standards was submitted on April 22, 1985 by the New Jersey Department of Environmental Protection.

(i) Incorporated by reference.

(A) Table 2 in section 18.4(b) of N.J.A.C. 7:27-18, "Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rule)," effective March 11, 1985.

(41) A revision to the New Jersey State Implementation Plan (SIP) for lead was submitted on December 1, 1986, by the New Jersey Department of Environmental Protection.

(i) Incorporated by reference.

(A) The following operating permit amendments for the Delco Remy facility in New Brunswick:

Permit amendment numbers	Permit amendment dates
286–1166 through 286–1184 ...	All permits effective 9/24/86.

(B) The following operating permit amendments for the Heubach Inc. facility in Newark:

Permit amendment numbers	Permit amendment dates
286-0523 through 286-0531 ...	All permits effective 4/30/86.
286-0286, 286-0287, 286-0289, 286-0290.	All permits effective 2/26/86.

(ii) Additional material.

(A) Technical documentation of ambient modeling and monitoring for lead in the vicinity of Delco Remy, New Brunswick.

(B) Technical documentation of ambient modeling and monitoring for lead in the vicinity of Heubach Inc., Newark.

(42) A revision to the New Jersey State Implementation Plan (SIP) for lead submitted on July 23, 1987 by the New Jersey Department of Environmental Protection (NJDEP) and finalized on September 25, 1987.

(i) Incorporated by reference:

(A) A March 4, 1986 Administrative Order and Notice of Civil Administrative Penalty Assessment (Log # A860244) from the New Jersey Department of Environmental Protection to the United States Metals Refining Company (USMR).

(B) Letter of March 11, 1987 from Greenberg and Prior, attorneys for USMR, to Anthony J. McMahon, Department of Environmental Protection, Trenton, New Jersey.

(ii) Additional material:

(A) July 1987 Modeling Analysis for the Anchor Abrasives facility.

(B) Summary of public comments and response to comments for the revision of the N.J. SIP for lead in the vicinity of USMR.

(C) USMR's comments on the revised N.J. SIP for lead in the vicinity of USMR.

(d) Plan revisions were submitted on September 26, 1972.

[37 FR 10880, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.1570, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1571 Classification of regions.

The New Jersey plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
New Jersey-New York-Connecticut Interstate	I	I	I	I	I
Metropolitan Philadelphia Interstate	I	I	III	I	I
Northeast Pennsylvania-Upper Delaware Valley Interstate	I	II	III	III	III
New Jersey Intrastate	III	IA	III	I	III

[37 FR 10880, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.1572 Extensions.

(a) The Administrator hereby extends the statutory deadline for attainment of carbon monoxide and also national ambient air quality standards to December 31, 1987. Specific attainment dates shall be defined, when applicable, in the plan revision to be submitted by July 1, 1982.

(b) The Administrator hereby extends for 18 months, until July 1, 1980, the statutory timetable for submission of New Jersey's plans for attainment and maintenance of the secondary standards for total suspended particulates in all secondary standard nonattainment areas so designated in the January 25, 1979 issue of the Federal Register at 44 FR 5119.

[45 FR 15541, Mar. 11, 1980]

§ 52.1573 Approval status.

With the exceptions set forth in this subpart, the Administrator approves New Jersey's plans for attainment and maintenance of the national ambient air quality standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below in § 52.1581. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 15541, Mar. 11, 1980]

§ 52.1574 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34537, Sept. 26, 1974, as amended at 40 FR 55331, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.1575 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since section 26:2C-9 of the New Jersey Air Pollution Control Law could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 26:2C-9 is disapproved.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1576 Control strategy: Nitrogen dioxide.

(a) The requirements of § 52.14(c)(3) of this chapter as of May 8, 1974 (39 FR 16346), are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the New Jersey portions of the New Jersey-New York-Connecticut Region.

[37 FR 10880, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 51 FR 40677, Nov. 7, 1986]

§ 52.1577 Compliance schedules.

(a) [Reserved]

(b) The requirements of § 51.261 of this chapter are not met since Chapter 7, section 7.1(c) of New Jersey's "Air Pollution Control Code" permits certain sources to defer compliance with Chapter 7 until after the required date for attainment of the national standards for particulate matter.

(c) The requirements of § 51.262(a) of this chapter are not met since Chapter 7 of New Jersey's "Air Pollution Control Code" does not provide for periodic increments of progress toward compliance for those sources with compliance schedules extending over a period of 18 or more months.

(d) *Regulation for increments of progress.* (1) Except as provided in paragraph (d)(2) of this section, the owner or operator of any stationary source in the State of New Jersey to which an exception extending beyond January 31, 1974, is applicable under Chapter 7, section 7.1(c) of the New Jersey Air Pollution Control Code shall, no later than 120 days following the effective date of this paragraph, submit to the Administrator for approval, a proposed compliance schedule that demonstrates compliance with the emission limitations prescribed by Chapter 7 of the New Jersey Air Pollution Control Code as expeditiously as practicable but no later than July 31, 1975. The compliance schedule shall provide for periodic increments of progress towards compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Submittal of the final control plan to the Administrator; letting of necessary contracts for construction or process changes or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process change; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(2) Where any such owner or operator demonstrates to the satisfaction of the Administrator that compliance with the applicable regulations will be achieved on or before January 31, 1974, no compliance schedule shall be required.

(3) Any owner or operator required to submit a compliance schedule pursuant to this paragraph shall within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(4) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(e) Federal compliance schedules. The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, except where noted.

Source	Location	Regulation involved	Effective date	Final compliance date
Abex Inc	Mahwah, Bergen County	40 CFR 52.1577(d) [1]	Immediately	July 31, 1975.
Gerald A. Barrett, Inc	Woodbine, Cape May County.	do	do	July 1, 1974.
G. & W. H. Corson, Inc. (Home Crete Corp.).	Gibbsboro, Camden County	do	do	Dec. 1, 1974.
Rockhart Foundry Co.	Newark, Essex County	40 CFR 52.1577(d)	do	Do.
GAF Corp	Bridgewater Township, Somerset County.	do	do	Do.
1. Preheating and conveying collector outlet.				Nov. 1, 1974.
2. Stack for No. 1 side coloring plant.				June 1, 1975.
3. Stack for No. 2 side coloring plant.				Do.
4. Dryer Building collector outlet.				July 31, 1975.

Source	Location	Regulation involved	Effective date	Final compliance date
5. Aerator and Mixer exhaust.				Do.
Grefco, Inc	Jamesburg, Middlesex County	40 CFR 52.1577(d)	do	Apr. 15, 1975.
Lace Creations, Inc	Newark, Essex County	do	do	June 15, 1975.
Metro Containers (Kraftco Corp.).	Jersey City, Hudson County	do	do	July 31, 1975.
Trap Rock Industries, Inc	Kingston, Somerset County			
1. Stacks 4 and 4A				Do.
2. Stack 5				Do.
Woodward Metal Processing Corp.	Jersey City, Hudson County	40 CFR 52.1577(d)	do	Mar. 11, 1975.

[1] Federal regulation.

[37 FR 10880, May 31, 1972, as amended at 37 FR 23090, Oct. 28, 1972; 38 FR 12713, May 14, 1973; 40 FR 30962, July 24, 1975; 51 FR 40676, 40677, Nov. 7, 1986]

§ 52.1578 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) of this chapter are hereby incorporated by reference and made a part of the applicable implementation plan for the State of New Jersey.

(c) Subchapter 18 of the New Jersey Administrative Code, entitled, "Control and Prohibitions of Air Pollution from Ambient Air Quality in Nonattainment Areas (Emission Offset Rule)," N.J.A.C. 7:27-18.1 *et seq.*, as submitted to EPA on August 5, 1980 by the New Jersey Department of Environmental Protection, is approved for the entire State of New Jersey, with the following provisions:

(1) The definition of "significant emission increase" as it appears in section 7:27-18.1, entitled, "Definitions," is disapproved. The following definition of "significant emission increase" is applicable: "An increase, since December 21, 1976, in the rate of allowable emissions, including fugitive pollutant emissions, at a facility of any criteria pollutant greater than or equal to 50 tons per year, 1,000 pounds per day, or 100 pounds per hour, not including decreases in the rates of allowable emissions except where such decreases are contemporaneous with emission increases. The increase in the rates of allowable emissions shall be the cumulative total of increases from all new or altered equipment for which permits have been issued on or after December 21, 1976 and for which permit applications have been received by the Department, and the fugitive emissions associated with that equipment. The hourly and daily rates shall apply only with respect to a pollutant for which a national ambient air quality standard for a period not exceeding 24 hours has been established.

(2) Subsection (e)(1) under section 7:27-18.2, entitled, "General Provisions," is disapproved and replaced with the following: "The requirements of paragraphs (c)(3), (c)(4), and (c)(5) of this section shall again become applicable when proposed new construction or alterations at the facility would cause the increase in the rate of allowable emissions of that criteria pollutant to again exceed 50 tons per year, 1,000 pounds per day, or 100 pounds per hour whichever is most restrictive. The accumulation of increases in the rate of allowable emissions shall resume from zero after each application of paragraphs (c)(3) and (c)(4) of this section."

[39 FR 7282, Feb. 25, 1974, as amended at 46 FR 21996, Apr. 15, 1981; 51 FR 40677, Nov. 7, 1986]

§ 52.1579 Intergovernmental cooperation.

(a) The requirements of Subpart M of this chapter are not met since the plan does not adequately describe the responsibilities of local agencies.

[37 FR 10880, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.1580 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information contained in the New Jersey plan. Further information on the specific boundaries of the "nonattainment," "unclassifiable," and "attainment" areas is found in § 81.331 of this chapter.

Air quality control region and nonattainment area	Pollutant							
	TSP		SO_2		NO_2	CO	O_3	Pb
	Primary	Secondary	Primary	Secondary				
New Jersey-New York-Connecticut Interstate AQCR:								
The city of Jersey City	a	*c*	a	a	a	*d*	*d*	a
Remainder of Hudson County (excluding Jersey City)	a	*c*	a	a	a	a	*d*	a
The city of Newark (east of the Garden State Parkway)	a	*c*	a	a	a	*d*	*d*	a
The city of Newark (west of the Garden State Parkway)	a	a	a	a	a	*d*	*d*	a
The city of Elizabeth	a	*c*	a	a	a	*d*	*d*	a
The city of Linden	a	*c*	a	a	a	a	*d*	a
The Borough of Carteret	a	*c*	a	a	a	a	*d*	a
The township of Woodbridge	a	*c*	a	a	a	a	*d*	a
The city of Perth Amboy	a	*c*	a	a	a	*d*	*d*	a
The city of Paterson	a	a	a	a	a	*d*	*d*	a
The city of Hackensack	a	a	a	a	a	*d*	*d*	a
The town of Morristown	a	a	a	a	a	*d*	*d*	a
The Borough of Somerville	a	a	a	a	a	*d*	*d*	a
The city of Asbury Park	a	a	a	a	a	*d*	*d*	a
The Borough of Freehold	a	a	a	a	a	*d*	*d*	a
Remainder of AQCR	a	a	a	a	a	a	*d*	a
Metropolitan Philadelphia Interstate AQCR:								
The city of Camden	a	*c*	a	a	a	*d*	*d*	a
The city of Trenton	a	a	a	a	a	*d*	*d*	a
The city of Burlington	a	a	a	a	a	*d*	*d*	a
The Borough of Penns Grove	a	a	a	a	a	*dd*	a	
Remainder of AQCR	a	a	a	a	a	a	*d*	a
New Jersey Intrastate AQCR:								
The city of Bridgeton	a	*c*	a	a	a	a	*d*	a
The city of Atlantic City	a	a	a	a	a	*d*	*d*	a
Toms River (portion of Dover Township)	a	a	a	a	a	*d*	*d*	a
Remainder of AQCR	a	a	a	a	a	a	*d*	a
Northeast Pennsylvania-Upper Delaware Valley Interstate AQCR	a	a	a	a	a	a	*d*	a

NOTE 1: Footnotes which are italic are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out in the 1978 edition of the Code of Federal Regulations at 40 CFR Part 52, § 52.1580.

a. Air quality levels presently attain standards or area is unclassifiable.

b. December 31, 1982.

c. 18-month extension, until July 1, 1980, for plan revision submission granted. The earlier attainment date remains applicable until the plan revision is approved; this date is set out in the 1978 edition of the Code of Federal Regulations at 40 CFR Part 52, § 52.1580.

d. December 31, 1987 or such earlier date as defined in the plan revision to be submitted by July 1, 1982.

e. Attainment date to be specified in future plan submittal.

[45 FR 15541, Mar. 11, 1980, as amended at 51 FR 42573, Nov. 25, 1986]

§ 52.1581 [Reserved]

§ 52.1582 Control strategy and regulations: Ozone (volatile organic substances) and carbon monoxide.

(a) Subchapter 16 of the New Jersey Administrative Code, entitled "Control and Prohibition of Air Pollution by Volatile Organic Substances," N.J.A.C. 7:27-16.1 et seq. as revised on December 31, 1981 and effective March 1, 1982, is approved with the following provisions and conditions:

(1) Subsections 16.6(c)(4) and 16.6(c)(5) are approved. The State must comply with the public participation procedures it submitted to EPA on December 19, 1980 and must supply to EPA a copy of each notice of a proposed bubble that it supplies the public. In addition, the State must promptly transmit to EPA notice setting forth each set of emission limits approved by the state pursuant to subsections 16.6(c)(4) and 16.6(c)(5) as well as the emission limitations previously applicable. Finally, the State must transmit any relevant additional material EPA may request, and it must notify the public of an approved set of emission limits at the time it transmits notice of those limits to EPA.

(2) Emission limitations required by subsections 16.5(a), 16.6(a) and 16.6(b) are applicable requirements of the New Jersey SIP for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by citizens in the same manner as other requirements of the SIP; except that emission limitations adopted by the State under and which comply with subsections 16.6(c) (4) and (5) shall be the applicable requirements of the New Jersey SIP in lieu of those contained in subsections 16.5(a), 16.6(a) and 16.6(b) and shall be enforceable by EPA and by citizens, if the State meets the requirements set out in paragraph (d)(1) of this section.

(3) Although EPA approves the variance provisions in subchapter 7:27-16.9 and 7:27-16.10, in order to be considered as part of the SIP, each variance issued under these provisions must be submitted to and approved by EPA as a SIP revision.

(4) The December 17, 1979 version of Subchapter 16 is approved as a part of the SIP only to the extent that it addresses compliance dates for Group I Control Techniques Guideline source categories.

(b) Subchapter 17 of the New Jersey Administrative Code, entitled "Control and Prohibition of Air Pollution by Toxic Substances," N.J.A.C. 7:27-17.1 et seq. as revised on October 17, 1979 and effective December 17, 1979, is approved for the regulation of perchloroethylene dry cleaners, as further clarified in a New Jersey Department of Environmental Protection memorandum "Subchapter 17 Requirements for Perchloroethylene Dry Cleaning Systems" dated October 25, 1982.

[46 FR 20556, Apr. 6, 1981, and 48 FR 51480, Nov. 9, 1983]

§§ 52.1583—52.1600 [Reserved]

§ 52.1601 Control strategy and regulations: Sulfur oxides.

(a) The applicable limitation on the sulfur content of fuel marketed and used in New Jersey until and including March 15, 1974, as set forth in N.J.A.C. subchapter 7:1-3.1 is approved, except that the use of coal in the following utility plants and boiler units is not approved:[1]

Company	Plant	City	Boiler unit(s)
Atlantic City Electric.	Deepwaters.	Deepwaters.	5/7, 7/9, 3/5, 4/6.
Public Service Electric & Gas.	Essex	Newark	All.
Do	Sewaren	Woodbridge.	Do.
Do	Bergen	Bergen	No. 1.
Do	Burlington	Burlington	1–4.
Do	Kearney	Kearney	All.
Do	Hudson	Jersey City	No. 1.
Jersey Central Power & Light.	Sayreville	Sayreville	All.
Do	E. H. Werner.	South Amboy.	Do.

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[1] Action by the Administrator regarding coal conversion at the listed plants and units is being held in abeyance until the Administrator determines whether and to what extent that conversion cannot be deferred, based on analysis of fuel allocations for residual oil and coal in the Mid-Atlantic and New England States.

(b) Before any steam or electric power generating facility in Zone 3, as defined in N.J.A.C. 7:27-10.1, burning fuel oil on June 4, 1979, having a rated hourly gross heat input greater than 200,000,000 British Thermal Units (BTU's), and capable of burning coal without major reconstruction or construction, which facility was in operation prior to May 6, 1968, or group of such facilities having a combined rated hourly capacity greater than 450,000,000 BTU's may be permitted by the State to convert to the use of coal, the State shall submit to EPA a copy of the proposed permit together with an air quality analysis employing methodology acceptable to EPA. If EPA determines, on the basis of the submitted analysis, that the proposed coal conversion will not interfere with the attainment or maintenance of air quality standards and will not be the cause for any Prevention of Significant Deterioration (PSD) increment to be exceeded, then the permit authorizing conversion may become effective immediately upon the publication of such a determination (as a Notice) in the FEDERAL REGISTER. If EPA determines that the submitted analysis is nadequate or that it shows that the roposed conversion will interfere vith attainment or maintenance of air uality standards or cause any PSD inrement to be exceeded, then EPA hall so inform the State of its deterination, and the permit authorizing onversion shall not become effective nd conversion shall not occur until an dequate analysis is submitted or, if ecessary, until a control strategy revion which would require any necesry emission reductions is submitted the State and placed into effect as EPA approved revision to the imementation plan. In addition, this me procedure shall apply to any ate permit applied for that would thorize a relaxation in the sulfur-inl limitation at any such facility, as fined above in this paragraph, ving already been granted a permit convert to coal.

c) The U.S. Gypsum Co. in Clark, w Jersey is permitted to burn fuel with a sulfur content of 2.0 pert, by weight, at either Boiler #1, #2 #3 until March 31, 1985 or until Boiler #4 is ready to burn coal, whichever occurs first. Such oil burning must conform with New Jersey requirements and conditions as set forth in applicable regulations and administrative orders.

[39 FR 1439, Jan. 9, 1974, as amended at 44 FR 31979, June 4, 1979; 44 FR 38471, July 2, 1979; 49 FR 30179, July 27, 1984]

§ 52.1602 Maintenance of national standards.

(a) The requirements of § 51.102 and § 51.110(h) of this chapter are not met since the State did not conduct an adequate public hearing on the identification of areas which have the potential for violation of an air quality standard within 10 years.

(b) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Allentown-Bethlehem-Easton Interstate Air Quality Maintenance Area (New Jersey Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of the area:

Warren County.

(2) Atlantic Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of the area:

Atlantic County.

(3) Metropolitan Philadelphia Interstate Air Quality Maintenance Area (New Jersey Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of the area:

Mercer County, Burlington County, Camden County, Gloucester County, Salem County.

(4) New Jersey-New York Interstate Air Quality Maintenance Area (New Jersey Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide (part) and photochemical oxidants.

(ii) (*a*) Geographical composition of the area identified for particulate matter and photochemical oxidants:

Hudson County, Essex County, Union County, Middlesex County, Bergen County, Passaic County, Monmouth County, Morris County, Somerset County.

(*b*) Geographical composition of the area identified for sulfur dioxide:

Hudson County, Essex County, Union County, Middlesex County, Bergen County, Passaic County, Monmouth County.

(5) Ocean Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of the area:

Ocean County.

[40 FR 41951, Sept. 9, 1975, as amended at 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.1603 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of New Jersey.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.1604 Control strategy and regulations: Total suspended particulates.

(a) Any variance issued by the Department under N.J.A.C. Title 7, Chapter 27, section 6.5, subsections (a), (b), or (c) shall not exempt any person from the requirements otherwise imposed by N.J.A.C. 7:27-6.1 *et seq.; Provided* that the Administrator may approve such variance as a plan revision when the provisions of this part, section 110(a)(3)(A) of the Act, and 40 CFR, Part 51 (relating to approval of and revisions to State implementation plans) have been satisfied with respect to such variance.

(b) Particulates emissions from units 1 and 2 of the Atlantic City Electric Company's B.L. England Generating Station are limited to an emission rate of 0.5 lbs/million BTU until March 31, 1982 and June 1, 1982, respectively. The opacity associated with such emissions from these units during this period shall not exceed 40 percent. On and after March 31, 1982 for unit 1, and June 1, 1982 for unit 2, these units shall be limited to an emission rate of 0.1 lbs/million BTU, and the associated opacity shall not exceed 20 percent.

[44 FR 5427, Jan. 26, 1979 and 46 FR 26305, May 12, 1981]

§ 52.1605 EPA-approved New Jersey regulations.

State regulation	State effective date	EPA approved date	Comments
Title 7, Chapter 27			
Subchapter 1, "General Provisions"	May 1, 1956	May 31, 1972, 37 FR 10880	
Subchapter 2, "Control and Prohibition of Open Burning"	June 8, 1981	Sept. 30, 1981, 46 FR 47779	
Subchapter 3, "Control and Prohibition of Smoke from Combustion of Fuel.	Oct. 12, 1977	Jan. 27, 1984, 49 FR 3465	
Subchapter 4, "Control and Prohibition of Particles from Combustion of Fuel.	Oct. 12, 1977	do	
Subchapter 5, "Prohibition of Air Pollution	Oct. 12, 1977	do	
Subchapter 6, "Control and Prohibition of Particles From Manufacturing Processes" (except section 6.5).	May 23, 1977	Jan. 26, 1979, 44 FR 5427	Section 6.5, "Variances," is not approved (40 CFR 52.1570(c)(20) and 52.1604(a)). Any State-issued variances must be formally incorporated as SIP revisions if EPA is to be bound to their provisions (40 CFR 52.1604(a)).
Subchapter 7, "Sulfur"	Mar. 1, 1967	May 31, 1972, 37 FR 10880	
Subchapter 8, "Permits and Certificates"	Apr. 5, 1985	Nov. 25, 1986, 51 FR 42573	
Subchapter 9, "Sulfur in Fuels"	Feb. 4, 1983	July 8, 1983, 48 FR 31400	Sulfur dioxide "bubble" permits issued by the State pursuant to § 9.2 and not waived under the provisions of § 9.4 become applicable parts of the SIP only after receiving EPA approval as a SIP revision. "Clean conversion incentive" permits issued pursuant to § 9.5 must receive EPA approval as a SIP revision to become applicable parts of the SIP.
Subchapter 10, "Sulfur in Solid Fuels"	July 14, 1981	Nov. 3, 1981, 46 FR 54542	Notification of "large zone 3 coal conversions" must be provided to EPA (40 CFR 52.1601(b)).
Subchapter 11, "Incinerators"	Aug. 15, 1968	May 31, 1972, 37 FR 10880	
Subchapter 12, "Prevention and Control of Air Pollution Emergencies".	Mar. 27, 1972	do	
Subchapter 13, "Ambient Air Quality Standards"	June 25, 1985	Nov. 25, 1986, 51 FR 42573	
Subchapter 14, "Control and Prohibition of Air Pollution From Diesel-Powered Motor Vehicles.".	July 1, 1985	June 13, 1986	
Subchapter 15, "Control and Prohibition of Air Pollution From Light-Duty Gasoline-Fueled Motor Vehicles".	July 5, 1972	do	
Subchapter 16, "Control and Prohibition of Air Pollution by Volatile Organic Substances."	Dec. 17, 1979	Apr. 6, 1981, 46 FR 20556	The December 17, 1979 version of Subchapter 16 remains as a part of the SIP only to the extent that it addresses compliance dates for Group I CTG sources.
	Mar. 1, 1982	Nov. 9, 1983, 48 FR 51480	Emission limitations adopted by the State under and complying with §§ 16.6(c)(4) and 16.6(c)(5) became applicable if transmitted to EPA. Variances adopted by the State pursuant to §§ 16.9 and 16.10 become applicable only if approved by EPA as SIP revisions (46 FR 20551, April 6, 1981).

State regulation	State effective date	EPA approved date	Comments
Subchapter 17, "Control and Prohibition of Air Pollution By Toxic Substances."	Dec. 17, 1979	...do	Subchapter 17 is included in the SIP only as it relates to the control of perchloroethylene.
Subchapter 18, "Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality in Nonattainment Areas (Emission Offset Rule)" (except as noted regarding sections 18.1 and 18.2(e)(1)).	Sept. 8, 1980	Apr. 15, 1981, 46 FR 21996	The definitions of "significant emission increase," in §§ 18.1, and 18.2(e)(1) are disapproved. Federally promulgated regulations (40 CFR 52.1578(c), published at 46 FR 21996 on Apr. 15, 1981) are applicable.
Subchapter 18, "Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rule)".	Mar. 11, 1985	Nov. 25, 1986, 51 FR 42573	The approval of this version of Subchapter 18 only relates to the review of major sources of lead and the review of significant increases of lead emissions at major sources.
Title 7, Chapter 27B			
Subchapter 4, "Air Test Method 4, Testing Procedures for Motor Vehicles.".	July 1, 1985	June 13, 1986	Only Sections 1, 2, 3 and 4 of Subchapter 4 are approved.
Title 16, Chapter 53			
"Autobus Specifications."	Sept. 26, 1983	June 13, 1986	Only Sections 3.23, 3.24, 3.27, 6.15, 6.21, 6.30, 7.14, 7.17, 7.23, 8.15, 8.22, 8.25 are approved.

[46 FR 57677, Nov. 25, 1981, and 46 FR 61266, Dec. 16, 1981, as amended at 48 FR 31400, July 8, 1983; 48 FR 51480, Nov. 9, 1983; 49 FR 3465, Jan. 27, 1984; 51 FR 21549, June 13, 1986; 51 FR 23418, June 27, 1986; 51 FR 42573, Nov. 25, 1986]

§ 52.1606 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made part of the applicable plan for the State of New Jersey.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of New Jersey.

[51 FR 23759, July 1, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart GG—New Mexico

§ 52.1620 Identification of plan.

(a) Title of plan: "State of New Mexico Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The Plan revisions listed below are submitted on the dates specified.

(1) The Environmental Improvement Agency submitted revisions of Air Quality Control Regulations 506, 507, 604, 605, 606, 651, and 652 (adopted by the Board on January 10, 1972) on March 7, 1972.

(2) Additions of sections 12-14-1 through 12-14-13 of the State's Air Quality Control Act, and Regulations 504, 602, and 603 were submitted by the Governor on May 9, 1972.

(3) Revisions of Regulations 702, 03, 704, and 705, as adopted by the Board on July 29, 1972, and revisions f Sections IV, V, VII, and VIII, were ubmitted by the Environmental Im- rovement Agency on July 31, 1972.

(4) State Attorney General's opinion n legal authority and confidentiality f source data was submitted on Sep- ember 4, 1972. (Non-regulatory)

(5) Revisions of the New Source eview and Source Surveillance sec- ons of the New Mexico Implementa- on Plan were submitted by the Envi- onmental Improvement Agency on anuary 3, 1973. (Non-regulatory)

(6) Clarification of the State permit and source surveillance regulations was submitted by the Environmental Improvement Agency on January 18, 1973. (Non-regulatory)

(7) Regulation 705, Compliance Schedules, was submitted by the Governor on February 12, 1974.

(8) Revisions to Regulation 602, Coal Burning Equipment-Sulfur Dioxide, as adopted by the New Mexico Environmental Improvement Board on December 13, 1974, were submitted by the Governor on October 3, 1975 (see § 52.1624).

(9) Revisions to Regulation 100, Definitions; Regulation 705, Schedules of Compliance, and a new Regulation 706, Air Quality Maintenance Areas, were submitted by the Governor on November 6, 1975 (see § 52.1633).

(10) Revisions to sections 12-14-2, 12-14-6, and 12-14-7 of the New Mexico Air Quality Control Act were submitted by the Governor on November 6, 1975.

(11) Revisions to the plan for attainment of standards for particulate matter in Albuquerque and Grant, Eddy and Lea Counties, sulfur dioxide in San Juan and Grant Counties; ozone in Albuquerque and carbon monoxide in Las Cruces, Farmington and Santa Fe were submitted by the Governor on January 23, 1979.

(12) Ordinance for motor vehicle emissions inspection/maintenance program for Albuquerque submitted by the Governor July 2, 1979.

(13) Commitments regarding the development of a TSP plan for Albuquerque, modfications to the permit regulations and commitments regarding reasonable further progress and commitments to currently planned transportation control measures for Albuquerque were submitted by the Governor on August 2, 1979.

(14) Schedule for Albuquerque TSP plan, request for 18 month extension for submission of a plan for attainment of the TSP standard in Grant County, schedule for revising permit regulations were submitted by the Governor on September 25, 1979.

(15) No action is being taken on the carbon monoxide strategies submitted by the Governor on January 23, 1979 for Farmington and Santa Fe.

(16) Compliance schedules for several industries located in Eddy, Lea and Grant Counties were submitted to EPA by the Governor of New Mexico on July 25, 1979.

(17) Revisions to the plan for attainment of the standard for carbon monoxide in Bernalillo County were submitted by the Governor on March 17, 1980.

(18) A commitment to not issue permits to stationary sources located in nonattainment areas was submitted by the Governor on May 20, 1980.

(19) A commitment to submit an enforcement plan for the Albuquerque-Bernalillo County inspection/maintenance program was submitted by the Governor on October 10, 1980.

(20) On December 12, 1979, the Governor submitted final revisions to the ambient monitoring portion of plan.

(21) A variance to Regulation 506 for Phelps Dodge Corporation, Hidalgo Smelter in Playas, New Mexico was submitted by the Governor on February 4, 1980.

(22) Revisions to Regulation 602, Coal Burning Equipment-Sulfur Dioxide and a compliance schedule for that regulation were adopted on November 20, 1980 by the New Mexico Environmental Improvement Board and submitted by the Governor on November 24, 1980. A revised sulfur dioxide control strategy demonstration for San Juan County, based on revised Regulation 602 was submitted by the New Mexico Environmental Improvement Division on February 12, 1981. Clarifications of provisions in revised regulation 602, and a memorandum of understanding between the State and Arizona Public Service Company on the procedure to be used by EPA in enforcing power plant station emission limits were submitted by the New Mexico Environmental Improvement Division on April 16, 1981.

(23) A revision to Regulation 504 which extends the final compliance date for Units 4 and 5 of the Arizona Public Service Four Corners Power Plant to December 31, 1982 was submitted by the Governor on June 28, 1978. A compliance schedule for the same units was submitted by the Governor on March 31, 1980.

(24) A revision to Regulation 507, changing the emission limitations was submitted by the Governor on January 23, 1979.

(25) A variance to Regulation 603 for the Arizona Public Service Units 3, 4, and 5 at the Four Corners Generating Station, was submitted by the Governor on July 31, 1980.

(26) Revision to the plan for maintenance of pay for sources subject to nonferrous smelter orders (Section 74-2-11.1B of the New Mexico Air Quality Control Act) was submitted by the Governor on September 26, 1979.

(27) The New Mexico Plan for lead was submitted to EPA on May 19, 1980, by the Governor of New Mexico as adopted by the New Mexico Improvement Board on May 9, 1980. A clarifying letter dated February 10, 1982 also was submitted.

(28) Revisions to Regulation 652, Non-Ferrous Smelters—Sulfur, submitted by the Governor on June 22, 1981. A revised sulfur dioxide control strategy demonstration for Grant County based on the revised Regulation 652 was submitted by the New Mexico Environmental Improvement Division on May 12, 1981 and August 13, 1981.

(29) A revision to Regulation 401, Regulation to Control Smoke and Visible Emissions, was adopted by the Environmental Improvement Board on August 25, 1978 and submitted by the Governor on November 8, 1978.

(30) Revision to New Mexico Regulation 801, Excess Emissions during Malfunction, Startup, Shutdown or Scheduled Maintenance, was submitted by the Governor on May 16, 1981.

(31) Revisions to Section X, Intergovernmental Consultation and Cooperation and Interstate Pollution Abatement, submitted by the Governor on January 23, 1979, the Intergovernmental Consultation Program submitted by the Environmental Improvement Division, March 28, 1980 and copies of letters from the New Mexico Environmental Improvement Division dated November 7, 1977 to the States of Texas, Oklahoma, Arizona, Colorado, and Utah sent in compliance with section 126(a)(2) of the Clean Air Act, as amended in 1977.

(32) Revisions to Air Quality Control Regulation 652, Nonferrous Smelters—Sulfur were adopted by the New Mexico Environmental Improvement Board on June 11, 1982 and submitted to EPA by the Governor of New Mexico on July 26, 1982.

(33) Addition of Public Information and Participation Program, submitted by the Environmental Improvement Division on December 20, 1979.

(34) Revisions to the plan for attainment of the standard for Carbon Monoxide in Bernalillo County were submitted by the Governor on June 28, 1982, and January 26, 1983, which included the Albuquerque/Bernalillo County Air Quality Control Board Regulation Number 28, adopted October 19, 1982. On March 4, 1985, the vehicle inspection and maintenance portion of the SIP providing for attainment of the standard for Carbon Monoxide in Bernalillo County was disapproved.

(35) Revisions to sections 74-2-2 (9/79, 2/82, 4/83); 74-2-5 (9/79, 2/82, 4/83); 74-2-6 (2/82); 74-2-7 (9/79, 2/82, 4/83); 74-2-9 (9/79); 74-2-11 (9/79); 74-2-11.1 (9/79); 74-2-15 (9/79); and 74-2-15.1 (9/79) of the State's Air Quality Control Act were submitted by the New Mexico Secretary for Health and Environment on August 11, 1983.

(36) A revision to Air Quality Control Regulation 402 "Regulation to Control Wood Waste Burners" as adopted by the New Mexico Environmental Improvement Board on January 10, 1975, and revised by that Board on December 10, 1982, was submitted by the State on December 23, 1983.

(37) On February 21, 1984, the Governor of New Mexico submitted Air Quality Control Regulation 707—Permits, Prevention of Significant Deterioration (PSD), as adopted by the New Mexico Environmental Improvement Board on January 13, 1984. Regulation 707 provides authority for the State to implement the PSD program in certain areas of the State. On May 4, 1985, the Governor of New Mexico submitted a letter in which he committed the State not to issue PSD permits under Regulation 707 to sources which would require review under EPA's stack height regulations because thay would have stack heights over sixty five (65) meters or would use any other dispersion techniques, as defined at 40 CFR 51.1(hh).

(i) Incorporation by reference.

(A) Letter from the Governor of New Mexico dated February 21, 1984 to EPA, and New Mexico Air Quality Control Regulation No. 707—Permits, Prevention of Significant Deterioration of Air Quality, except for sources that locate (or are located) on lands under control of Indian Governing Bodies, or sources that locate (or are located) in Bernalillo County, or sources that require review under EPA's stack height regulations because they have stack heights over sixty five (65) meters or use any other dispersion techniques, as defined at 40 CFR 51.1(hh), adopted on January 13, 1984.

(B) A letter from the Governor of New Mexico dated May 14, 1985, in which he committed the State not to issue PSD permits under Regulation 707 to source which would require review under EPA's stack height regulations because they would have stack heights over sixty five (65) meters or would use any other dispersion techniques, as defined at 40 CFR 51.1(hh).

(ii) Additional material.

(A) A narrative explantion entitled "Revision to the New Mexico State Implementation Plan—Prevention of Significant Deterioration of Air Quality."

[37 FR 10881, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1620, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1621 Classification of regions.

The New Mexico plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Albuquerque-Mid-Rio Grande Intrastate	I	III	III	III	I
New Mexico Southern Border Intrastate	IA	IA	III	III	III
El Paso-Las Cruces-Alamogordo Interstate	I	IA	III	I	I
Four Corners Interstate	IA	IA	III	III	III
Northeastern Plains Intrastate	III	III	III	III	III
Pecos-Permian Basin Intrastate	III	III	III	III	III
Southwestern Mountains-Augustine Plains Intrastate	III	III	III	III	III
Upper Rio Grande Valley Intrastate	III	III	III	III	III

[37 FR 1081, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 42 FR 20131, Apr. 18, 1977; 45 FR 24468, Apr. 10, 1980; 45 FR 67347, Oct. 10, 1980; 52 FR 5965, Feb. 27, 1987]

§ 52.1622 Approval status.

With the exceptions set forth in this subpart, the Administrator approves New Mexico's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Further, the Administrator finds that the plan satisfies all requirements of the Part D of the Clean Air Act, as amended in 1977, except as noted below.

[45 FR 24468, Apr. 10, 1980]

§ 52.1623 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met, since New Mexico Environmental Improvement Board Air Quality Control Regulations 702.E and 703.D could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, regulations 702.E and 703.D are disapproved.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34537, Sept. 26, 1974, as amended at 40 FR 55332, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.1624 [Reserved]

§ 52.1625 Control strategy: Particulate matter.

(a) The New Mexico Plan for total
suspended particulates for the Albu-
querque nonattainment area is condi-
tionally approved on the conditions
specified below:

(1) Update emissions inventory and
dentify major influencing sources—
January 1, 1981.

(2) Analyze data and further define
TSP problem—June 1, 1981.

(3) Propose TSP control strategy in-
luding cost/benefit analysis—January
. 1982.

(4) Develop proposed control regula-
ions, as required, and hold public
earing—April 1, 1982.

(5) Submit revised plan to EPA—July 1, 1982.

[46 FR 43152, Aug. 27, 1981]

§ 52.1626 Compliance schedules.

(a) New Mexico Air Quality Control Regulation 705, Schedules of Compliance, as adopted by the State of New Mexico on September 24, 1973, meets the requirements of § 51.262(a) of this chapter and is hereby approved as part of the State of New Mexico Implementation Plan.

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State.

NEW MEXICO

Source	Location	Regulation involved	Effective date	Final compliance date
		EDDY COUNTY		
AX Chemical Corp	Carlsbad	508	Immediately	Nov. 1, 1980
VAL Corp	......do	508	......do	Dec. 31, 1982
Minerals and Chem. Corp	......do	508	......do	Dec. 31, 1984
-McGee Chem. Corp	......do	508	......do	Sept. 1, 1981
issippi Chemical	......do	508	......do	Sept. 15, 1981
ional Potash Co	......do	508	......do	Dec. 31, 1981
ash Co. of America	......do	508	......do	Dec. 31, 1982
ed Salt Corp	......do	508	......do	Dec. 31. 1981
		GRANT COUNTY		
necott Copper Corp	Hurley	509	Immediately	Dec. 30, 1980
		510	......do	Dec. 31, 1982
		LEA COUNTY		
x Chem. Co	Monument	508	Immediately	Dec. 31, 1982
		SAN JUAN COUNTY		
a Public Service	Four Corners	504	Immediately	Dec, 31, 1982

FR 10466, Mar. 6, 1975, as amended at 45 FR 85007, Dec. 24, 1980; 47 FR 13340, Mar. 30,
; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

1627 Control strategy and regula-
tions: Carbon monoxide.

) *Part D disapproval.* The Berna-
County carbon monoxide plan is
pproved for failure to meet the re-
ce requirements of Section 172 of
the Clean Air Act. As a consequence of the disapproval the following limitations are effective:

(1) No person shall construct or modify a major stationary source in Bernalillo County, New Mexico, if the

emissions from such facility will cause or contribute to concentrations of carbon monoxide in Bernalillo County. The provisions of 40 CFR 52.24 (e), (f), (g), (h), and (i) apply to stationary sources of carbon monoxide in Bernalillo County.

(2) EPA is withholding funds, provided under section 105 of the Clean Air Act, pursuant to section 176(a), from the Albuquerque/Bernalillo County Air Quality Control Board and the New Mexico Health and Environment Department. The amount withheld is based on the proportion of the State's population, determined by the 1980 Census, residing in the Albuquerque urbanized area.

(3) The Secretary of Transportation shall not approve any projects or award any grants under the Title 23, United States Code, other than for safety, mass transit, or transportation improvement projects related to air quality improvement or maintenance, in Bernalillo County, New Mexico.

[50 FR 8620, Mar. 4, 1985]

§ 52.1628 Review of new sources and modifications.

(a) *Part D Conditional Approval.* The New Mexico plan is conditionally approved on the conditions specified below:

(1) Proposed amendments to permit regulations prepared for EPA and public review—September, 1984.

(2) Hold public hearing—November, 1984.

(3) Submit final adopted regulation—February, 1985.

(4) The State must continue their policy of not issuing permits to new or modified stationary sources, as specified in the Governor's letter of May 20, 1980.

(b) *Part D Conditional Approval.* The Bernalillo County carbon monoxide plan is conditionally approved on the condition that a revised section 20, "Permits" are submitted to EPA by October 1, 1984. In addition the Albuquerque-Bernalillo County Air Quality Control Board must continue their policy of not issuing permits to new or modified stationary sources, as specified in the Governor's letter of May 20, 1980, to fulfill the requirements of Part D.

[49 FR 35502, Sept. 10, 1984]

§ 52.1629 [Reserved]

§ 52.1630 Attainment dates for national standards.

The table below presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in New Mexico's plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lead
	Primary	Secondary	Primary	Secondary				
Albuquerque-Mid Rio Grande Intrastate:								
a. Bernalillo County	b	b	d	d	d	e	b	*b*
b. Remainder of AQCR	*a*	*a*	d	d	d	d	*a*	*c*
New Mexico Southern Border Intrastate:								
a. Grant County	b	g	b	b	d	d	d	*c*
b. Remainder of AQCR	*a*	*a*	*a*		d	d	d	
El Paso-Las Cruces Alamogordo Interstate:								
a. Las Cruces	*a*	*a*	*a*	*a*	d	b	*a*	*c*
b. Anapra								*h*
c. Remainder of AQCR	*a*	*a*	*a*	*a*	d	*a*	*a*	*c*
Four Corners Interstate:								
a. San Juan County	c	*a*	b		d	d	d	*c*
b. Remainder of AQCR	c	*a*	f	f	d	d	d	*c*
Northeastern Plains Interstate	d	d	d	d	d	d	d	*c*
Upper Rio Grande Valley Interstate	d	d	d	d	d	d	d	*c*
Pecos-Permian Basin Interstate:								
a. Eddy and Lea Counties	b	b	d	d	d	d	d	*c*
b. Remainder of AQCR	d	d	d	d	d	d	d	*c*
Southwestern Mountains Augustine Plains Interstate	d	d	d	d	d	d	d	*c*

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan does not provide a specific date.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earliest attainment dates are set out at 40 CFR 52.1630. (1978).

a. July 1975.
b. December 31, 1982.
c. Air quality presently below primary standard.
d. Air quality level presently below secondary standard.
e. December 31, 1987.
f. July 31, 1977.
g. 18 month extension granted.
h. Contingent upon approval of Texas lead SIP.

[45 FR 24468, Apr. 10, 1980, as amended at 45 FR 67347, Oct. 10, 1980; 47 FR 19335, May 5, 1982]

§ 52.1631 Extensions.

(a) The Administrator hereby extends to December 31, 1987, the attainment date for primary and secondary standards for carbon monoxide in Bernalillo County.

(b) The Administrator hereby extends until June 30, 1980, the submittal date for New Mexico's plan for attainment of the secondary standards for particulate matter in Grant County.

[45 FR 24469, Apr. 10, 1980]

§§ 52.1632—52.1633 [Reserved]

§ 52.1634 Significant deterioration of air quality.

(a) *Regulation for preventing significant deterioration of air quality.* The plan submitted by the State of New Mexico for preventing significant deterioration of air quality does not apply in certain areas in the State. Therefore, the provisions of § 52.21(b) through (w) are made a part of the applicable implemenation plan and are applicable to sources located on land under the control of Indian governing bodies and to sources located within the boundaries of Bernalillo County (including Albuquerque) and to sources which would require review under EPA's stack height regulations because they would have stack heights over sixty five (65) meters or would use any other dispersion techniques, as defined at 40 CFR 51.5(hh).

(b) *Conditional approval.* Regulation 707 is conditionally approved on the basis that

(1) The State will not issue permits to sources which would require review under EPA's stack height regulations because they would have stack heights over sixty five (65) meters or would use any other dispersion techniques, as defined at 40 CFR 51.1(hh).

(2) The State will adopt and submit as a plan revision a regulation which is equivalent to the regulations in 40 CFR Part 51 promulgated to implement section 123 of the Clean Air Act.

[52 FR 5966, Feb. 27, 1987]

§ 52.1635 Rules and regulations.

(a) *Part D Disapproval:* The requirements of § 51.281 of this chapter are not met since the measurement provisions of Sections A, B.2, and B.3 of New Mexico Regulation 506 make these sections unenforceable. Therefore, Sections A, B.2, and B.3 of Regulation 506 are disapproved.

(b) *Regulation for measurement of emission limitations (particulate matter from nonferrous smelters).* (1) This regulation applies to new and existing nonferrous smelters as they are defined in New Mexico Regulation 506. The requirements of this paragraph replace the requirements of Sections A, B.2, and B.3 of Regulation 506. All other requirements of Regulation 506 are approved as part of the plan.

(2) No person owning or operating a new nonferrous smelter shall permit, cause, suffer, or allow particulate matter emissions to the atmosphere in excess of 0.03 grains per dry standard cubic foot (as defined in 40 CFR Part 60) of discharge gas.

(3) No person owning or operating an existing nonferrous smelter shall permit, cause, suffer, or allow particulate matter to the atmosphere from:

(i) The stack or stacks serving the acid plant in excess of 0.05 grains per dry standard cubic foot of discharge gas.

(ii) The stack or stacks serving the reverberatory feed dryer in excess of 0.05 grains per dry standard cubic foot of discharge gas.

(c) *Regulation for compliance testing (particulate matter from nonferrous smelter).* The requirements of § 60.8(f) of 40 CFR Part 60 shall apply to paragraph (b)(2) of this section, and to each operation of Section B.4 of New Mexico Regulation 506.

[45 FR 24469, Apr. 10, 1980, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.1636 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.21, 52.27, and 52.28 are hereby incorporated and made part of the applicable plan for the State of New Mexico.

(c) *Long-term strategy.* The provi-
ions of § 52.29 are hereby incorporat-
d and made part of the applicable
lan for the State of New Mexico.

51 FR 5505, Feb. 13, 1986, as amended at 52
R 45137, Nov. 24, 1987]

Subpart HH—New York

52.1670 Identification of plans.

(a) Title of plans:

(1) "Implementation Plan to Achieve
ir Quality Standards—Upstate New
ork."

(2) "Implementation Plan to Achieve
ir Quality Standards—Metropolitan
ew York City Air Quality Control
egion."

(b) The plans were officially submit-
d on January 31, 1972.

(c) The plan revisions listed below
ere submitted on the dates specified.

(1) Parts 175, 176, 177, 185, 197, and
3 of New York's Code, Rules and
egulation submitted February 9,
72, by the Division of Air Resources,
w York State Department of Envi-
nmental Conservation.

2) Part 200 of the New York State
de and Article 9 of the New York
y Code submitted on February 11,
72, by the Division of Air Resources,
w York State Department of Envi-
mental Conservation.

3) Part 192 of the New York State
Pollution Control Code submitted
February 14, 1972, by the Division
Air Resources, New York State De-
tment of Environmental Conserva-
n.

) Miscellaneous non-regulatory ad-
ons to the plan submitted on
rch 10, 1972, by the Division of Air
ources, New York State Depart-
t of Environmental Conservation.

) Miscellaneous non-regulatory ad-
ons to the plan for New York City
nitted on May 19, 1972, by the
ernor.

) Revisions recodifying regulations
201, 202, 207, 212, 215, 219, 220,
226, and 230 of New York's Code,
s and Regulations submitted on
24, 1972, by the Division of Air Resources, New York State Department of Environmental Conservation.

(7) Revisions to Parts 204, 205, 214, 217, 223, 225, 227 and 230 of New York's Code, Rules and Regulations submitted on July 20, 1972, by the Governor.

(8) Miscellaneous non-regulatory revisions to the plan submitted on August 3, 1972, by the Division of Air Resources, New York State Department of Environmental Conservation.

(9) Revision to Part 226 of New York's Code, Rules and Regulations submitted on February 6, 1973, by the New York State Department of Environmental Conservation.

(10) Revised air quality data for 1971 and 1972 for the Hudson Valley AQCR submitted on March 7, 1973, by the New York State Department of Environmental Conservation.

(11) Revision to the photochemical oxidant and carbon monoxide control strategy for New Jersey-New York-Connecticut AQCR submitted on April 17, 1973, by the Governor.

(12) Miscellaneous non-regulatory revisions to the plan submitted on April 19, 1973, by the Division of Air Resources, New York State Department of Environmental Conservation.

(13) Revision to the photochemical oxidant control strategy for the Genesee-Fingerlakes AQCR submitted on April 30, 1973, by the Governor.

(14) Non-regulatory revision to the plan submitted on May 2, 1973, by the Division of Air Resources, New York State Department of Environmental Conservation.

(15) Requests for 2-year extension and 18-month extension for attainment of the photochemical oxidant and carbon monoxide standards in the New Jersey-New York-Connecticut AQCR submitted on May 16, 1973, by the Governor.

(16) Miscellaneous non-regulatory revisions to the plan submitted on May 21, 1973, by the Division of Air Resources, New York State Department of Environmental Conservation.

(17) Miscellaneous non-regulatory revisions to the plan submitted on June 11, 1973, by the New York State Department of Environmental Conservation.

(18) Revisions to Parts 200 and 201 of New York's Codes, Rules and Regulations submitted on August 15, 1973, by the New York State Department of Environmental Conservation.

(19) Revision to sulfur oxides control strategy for New Jersey-New York-Connecticut AQCR submitted on October 26, 1973, by the New York State Department of Environmental Conservation.

(20) Revision to sulfur oxides control strategy for New Jersey-New York-Connecticut AQCR submitted on November 27, 1973, by the Governor.

(21) Revision to Part 205 of New York's Code, Rules and Regulations submitted on February 17, 1974, by the New York State Department of Environmental Protection.

(22) Revisions to Transportation Control Plan for the Genesee-Fingerlakes AQCR submitted on April 8, 1974, by the New York State Department of Environmental Conservation.

(23) AQMA designations were submitted on April 29, 1974, by the New York State Department of Environmental Conservation.

(24) Revised Part 225 (Fuel Composition and Use) was submitted on August 29, 1974, by the Commissioner of the New York State Department of Environmental Conservation.

(25) Additional information on Part 225 revision was submitted on October 11, 1974, by the New York State Department of Environmental Conservation.

(26) Additional information on Part 225 revision was submitted on December 6, 1974, by the New York State Department of Environmental Conservation.

(27) Part 203 (Indirect Sources of Air Contamination) was submitted on January 27, 1975, by the New York State Department of Environmental Conservation.

(28) Additional information on Part 225 revision was submitted on February 25, 1975, by the New York State Department of Environmental Conservation.

(29) Additional information on Part 203 was submitted on May 8, 1975, by the New York State Department of Environmental Conservation.

(30) Revisions submitted on March 16, 1976 by the New York State Department of Environmental Conservation based on special limitations issued pursuant to § 225.2(c) covering three power plants.

(31) Additional information on special limitations issued pursuant to § 225.2(c) submitted on March 22, 1976 by the New York State Department of Environmental Conservation.

(32) Revision to Part 225 submitted on September 20, 1976 and November 5, 1976 by the New York State Department of Environmental Conservation which accomplishes the following:

(i) Upon demonstration by a source owner that the use of the higher sulfur coal will not contribute to the contravention of ambient air quality standards, coal burning sources of greater than 100 million Btu per hour heat capacity may be approved for a special limitation under § 225.2. The previous heat capacity cutoff for requiring a source-generated demonstration was 250 million But per hour.

(ii) The formula contained in § 225.5(a), which determines sulfur dioxide emissions from the burning of fuel mixtures, is modified to include gaseous fuels. Process gases are also included in the formula by the deletion of § 225.5(a)(2), which precluded such inclusion.

(iii) Fuel suppliers are required to furnish fuel sale records upon request of the State through revision to § 225.7.

(iv) The word "rated" is deleted from §§ 225.1(a)(1), 225.2 and 225.6 wherever the phrase "rated total heat input" previously appeared.

(33) Revision submitted on March 17, 1977, by the New York State Department of Environmental Conservation which grants a "special limitation" under Part 225. The "special limitation" relaxes until May 31, 1980, the sulfur-in-fuel-oil limitation to 2.8 percent, by weight, for the Long Island Lighting Co.'s Northport Generating Facility (Units 1, 2, and 3) and Port Jefferson Generating Facility (Units 3 and 4).

(34) Revision submitted on March 3, 1977, April 5, 1977 and June 16, 1977 by the New York State Department of Environmental Conservation which

grants "special limitations" under Part 225. These "special limitations" relax, until December 31, 1979, the sulfur-in-fuel-oil limitation to 2.8 percent, by weight, for air pollution sources which do not have a total heat input in excess of 250 million BTU per hour in parts of the Southern Tier East, Central New York and Champlain Valley AQCRs.

(35) Revision submitted on February 14, 1977 by the New York State Department of Environmental Conservation consisting of Section 19.0305(2)(a) of New York State's Environmental Conservation Law (ECL), as amended by Chapter 760, McKinney's 1975 Session Laws of New York, and an opinion, dated January 27, 1977, by the Honorable Louis J. Lefkowitz, Attorney General of the State of New York, interpreting the amended ECL Section 19-0305(2)(a) and Part 200.2 of Title 6 of the New York State Official Compilation of Codes, Rules, and Regulations (6 NYCRR 200.2). This revision provides for adequate State legal authority to ensure for public availability of air pollutant emission data as required under 40 CFR 51.10(e) and §51.11(a)(6).

(36) Revision to the New York City Metropolitan Area Transportation Control Plan eliminating tolls on bridges entirely within the City (Strategy B-7) is made upon application submitted by the Governor on October 19, 1977, pursuant to section 110(c)(5) of the Clean Air Act, as amended.

(37) Revision submitted on August 24, 1977, by the New York State Department of Environmental Conservation which grants a "special limitation" under Part 225. This "special limitation" relaxes, until May 31, 1980, he sulfur-in-fuel-oil limitation to 2.8 ercent, by weight, for Units 1 hrough 5 of the Niagara Mohawk ower Corp.'s Oswego facility in swego, N.Y.

(38) Revision submitted on Septem-er 22, 1977 by the New York State epartment of Environmental Conser-ation which grants a "special limitaon" under Part 225. This "special mitation" relaxes, until October 31, 980, the sulfur-in-coal limitation to pounds of sulfur per million Btu, oss heat content, at the Rochester Gas and Electric Corp.'s Beebee generating station, Unit 12, in Rochester, N.Y.

(39) Revision submitted on May 6, 1977 and August 1, 1977, by the New York State Department of Environmental Conservation which grants a "special limitation" under part 225. Only the part of this "special limitation" which relaxes, until July 31, 1980, the sulfur-in-fuel-oil limitation to 1 percent sulfur, by weight, at the village of Freeport plant No. 2 generating facility, units 1 and 2, located in Nassau County, N.Y., is approved.

(40) A document entitled, "New York State Air Quality Implementation Plan—Syracuse Area," submitted on March 19, 1979 by the New York State Department of Environmental Conservation.

(41) A document entitled, "New York State Air Quality Implementation Plan—Southern Tier (Binghamton, Elmira-Corning, Jamestown)," submitted on April 5, 1979 by the New York State Department of Environmental Conservation, only insofar as it deals with attainment of the national ambient air quality standards for particulate matter.

(42) A document entitled, "New York State Air Quality Implementation Plan—Rochester Area," submitted on April 5, 1979 by the New York State Department of Environmental Conservation.

(43) A document entitled, "New York State Air Quality Implementation Plan—Capital District and Town of Catskill," submitted on March 19, 1979 by the New York State Department of Environmental Conservation.

(44) Supplementary submittals of SIP revision information from the New York State Department of Environmental Conservation, insofar as they deal with all provisions except those for attainment of particulate matter standards in the Niagara Frontier Air Quality Control Region, dated:

(i) May 23, 1979, dealing with new source review and growth tracking provisions, adoption of proposed regulations, schedule for hydrocarbon emissions inventory improvements, identification of resources necessary to carry out the SIP, schedule for development of a public participation program, schedule for development of transportation planning process improvements, the need for an 18-month extension for the City of Syracuse and Village of Solvay, demonstration of control strategy adequacy for the area addressed by the Capital District and Town of Catskill plan revision document, compliance schedules for two facilities in the Hudson Valley Air Quality Control Region, and development of a local government consultation program in Jamestown, New York.

(ii) May 31, 1979, dealing with adoption of proposed regulations, hydrocarbon emission inventory improvements, schedule for development of transportation planning process improvements, and compliance schedules for two facilities in the Hudson Valley Air Quality Control Region.

(iii) June 12, 1979, providing a final draft of the proposed regulations, information on the compliance schedule for a facility in the Hudson Valley Air Quality Control Region, and general information on development of compliance schedules. The proposed regulations to be incorporated in Title 6 of the New York Code of Rules and Regulations are as follows:

(A) Part 200, General Provisions (revision);

(B) Part 211, General Prohibitions (revision);

(C) Part 212, Process and Exhaust and/or Ventilation Systems (revision);

(D) Part 223, Petroleum Refineries (revision);

(E) Part 226, Solvent Metal Cleaning Processes (new);

(F) Part 228, Surface Coating Processes (new);

(G) Part 229, Gasoline Storage and Transfer (new); and

(H) Part 231, Major Facilities.

(iv) June 18, 1979, dealing with new source review provisions, general information on development of compliance schedules, and adoption of proposed regulations.

(v) August 10, 1979, providing a comprehensive set of adopted regulations.

(vi) September 26, 1979, providing additional information regarding the EPA notice of proposed rulemaking (44 FR 44556, July 30, 1979) which deals with the adoption of regulations for control of volatile organic compound sources for source categories addressed by Control Technology Guideline documents issued subsequent to December 1977, regulatory revisions to 6 NYCRR Parts 211 and 229, the transportation planning process, emissions inventory improvements, new source review procedures, public participation and local government consultation programs, and adoption of regulations.

(vii) October 1, 1979, dealing with new source review procedures.

(viii) November 13, 1979, providing a "declaratory ruling" regarding interpretation of the provisions of 6 NYCRR Part 231 in implementing the new source review program.

(ix) November 14, 1979, providing supplemental documentation on the administrative process of revising regulations.

(x) February 20, 1980, dealing with public hearings to revise Parts 229 and 231 of 6 NYCRR consistent with corrective action indicated by EPA.

(45) Revision submitted on October 24, 1979 by the New York State Department of Environmental Conservation which grants a "special limitation" under Part 225. This "special limitation" relaxes, until (three years from the date of publication), the sulfur in fuel oil limitation to 1.0 percent, by weight, for the Long Island Lighting Company's Glenwood Generating Station (Units 4 and 5), and 1.54 percent, by weight, for its E. F. Barrett Generating Station (Units 1 and 2).

(46) Five documents entitled: (i) Volume I—New York State Air Quality Implementation Plan for Control of Carbon Monoxide and Hydrocarbons in the New York City Metropolitan Area;

(ii) Volume II—Detailed Descriptions of Reasonably Available Control Measures;

(iii) Volume III—Air Quality and Emission Inventory;

(iv) Volume IV—Public Participation;

(v) Total Suspended Particulate Secondary Standard: New York City Extension Request;

submitted on May 24, 1979 by the New York State Department of Environmental Conservation.

(47) A document entitled, "New York State Air Quality Implementation Plan—Statewide Summary and Program," submitted on September 10, 1979 by the New York State Department of Environmental Conservation.

(48) Supplementary submittals of information from the New York State Department of Environmental Conservation regarding the New Jersey-New York-Connecticut Air Quality Control Region SIP revisions, dated:

(i) June 26, 1979, dealing with control of storage tanks at gasoline stations in Nassau, Rockland, Suffolk, and Westchester Counties.

(ii) July 30, 1979, dealing with new source review provisions for major sources of volatile organic compounds.

(iii) August 20, 1979, providing a commitment to meet "annual reporting requirements."

(iv) January 11, 1980, dealing with changes to the State's schedule for implementing a light duty vehicle inspection and maintenance program.

(v) March 12, 1980, providing a memorandum of understanding among the New York State Department of Environmental Conservation, New York State Department of Transportation, and the Tri-State Regional Planning Commission.

(49) Supplementary submittals of information from the Governor's Office regarding the New Jersey-New York-Connecticut Air Quality Control Region SIP revision, dated:

(i) August 6, 1979, dealing with the status of efforts to develop necessary legislation for implementing a light duty vehicle inspection and maintenance program.

(ii) November 5, 1979, providing the State's legal authority and a schedule for implementing a light duty vehicle inspection and maintenance program.

(iii) February 6, 1980, committing to providing additional information on systematic studies of transportation measures, committing to clarification of SIP commitments, and providing additional information on the State's light duty vehicle inspection and maintenance program.

(50) Supplementary information, submitted by the New York State Department of Transportation on October 17, 1979, providing clarification to "reasonably available control measures" commitments contained in the New Jersey-New York-Connecticut Air Quality Control Region SIP revision.

(51) Revision submitted on January 29, 1980 by the New York State Department of Environmental Conservation which grants a "special limitation" under 6 NYCRR Part 225. This "special limitation" relaxes, until [three years from the date of publication], the sulfur-in-fuel-oil limitation to 0.60 percent, by weight, for Orange and Rockland Utilities', Inc. Bowline Point Generating Station, units 1 and 2, Haverstraw, New York.

(52) Revisions to Parts 229 and 231 of Title 6, New York Code of Rules and Regulations, submitted on May 1, 1980 by the New York State Department of Environmental Conservation.

(53) Revision submitted on November 29, 1980 by the New York State Department of Environmental Conservation which grants a "special limitation" under 6 NYCRR Part 225. This "special limitation" relaxes, until one year from [the date of publication], the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, for the Consolidated Edison Company of New York, Inc. Arthur Kill generating facility, units 2 and 3, Staten Island, New York and Ravenswood generating facility, unit 3, Queens, New York.

(54) A document entitled, "New York State Air Quality Implementation Plan—Niagara Frontier, Erie and Niagara Counties," submitted on May 31, 1979 by the New York State Department of Environmental Conservation. The administrative orders for Bethlehem Steel Corporation, referenced by this document, are not being incorporated as part of the plan.

(55) A supplemental submittal, dated May 21, 1980, from the New York State Department of Environmental Conservation which includes three listings of permanent projects, demonstration projects and transportation related studies committed to in the non-public transit portion of the plan for the New York City metropolitan area.

(56) Revision submitted on October 31, 1979 and supplemented on April 28, 1980 and May 20, 1980 by the New York State Department of Environmental Conservation which grants a "special limitation" under 6 NYCRR Part 225. This "special limitation" relaxes to 2.8 percent, by weight, until December 31, 1982, the sulfur-in-fuel-oil limitation applicable to fuel burning sources which have a capacity less than 250 million BTU per hour and which are located in:

(i) The Southern Tier East Air Quality Control Region (AQCR), with the exception of all sources in Broome County;

(ii) The Central New York AQCR, with the exception of the Oswego Facilities Trust Company in Oswego County and all sources in Onondaga County;

(iii) The Champlain Valley (Northern) AQCR, with the exception of all sources in the City of Glens Falls and sources in the Town of Queensbury which have a total heat input greater than 100 million BTU per hour.

(57) A supplemental submittal, dated July 2, 1980, from the New York State Department of Environmental Conservation which included criteria and procedures for making assessments of the consistency and conformity of the outputs of the transportation planning process with the SIP.

(58) Revision submitted on September 17, 1980 by the New York State Department of Environmental Conservation which grants a "special limitation" under 6 NYCRR Part 225. This "special limitation" relaxes to 2.8 percent, by weight, until three years from March 19, 1981, the sulfur-in-fuel oil limitation applicable to unit 5 of Niagara Mohawk Power Corporation's Oswego generating facility, located in Oswego County.

(59) Supplemental information to "New York State Air Quality Implementation Plan—Statewide Summary and Program," June 1979, submitted on December 18, 1980 by the New York State Department of Environmental Conservation dealing with provisions which commit the State to meet the Subpart C requirements of 40 CFR Part 58 pertaining to State and Local Air Monitoring Stations (SLAMS) including the air quality assurance requirements of Appendix A, the monitoring methodologies of Appendix C, the network design criteria of Appendix D and the probe siting criteria of Appendix E.

(60) A supplemental submittal, dated July 28, 1980 from the New York State Department of Environmental Conservation which includes:

—Key milestones associated with projects relating to transportation control measures which are part of the SIP;

—An improved program of study for the broader application of certain transportation control measures, and supplemental information on existing studies;

—Additional documentation necessary to determine the reasonableness of the measure, "Controls on Extended Vehicle Idling;"

—Criteria and procedures for making changes to transportation projects contained in the SIP;

—Criteria and procedures for making changes to transportation studies contained in the SIP; and

—The identification of the resources necessary to carry out the tranportation planning process and certain transportation elements of the SIP.

(61) A supplemental submittal entitled "New York State Air Quality Implementation Plan, the Moynihan/Holtzman Amendment Submission: Transit Improvements in the New York City Metropolitan Area, May 1979," submitted on May 24, 1979 by the New York State Department of Environmental Conservation.

(62) [Reserved]

(63) Revision submitted on April 29, 1980 by the New York State Department of Environmental Conservation which grants a "special limitation" establishing, until three years from September 24, 1981, a sulfur-in-fuel-oil limitation of 2.8 percent, by weight, for the Long Island Lighting Company's Northport generating facility, units 1, 2 and 3 and the Port Jefferson generating facility, units 3 and 4.

(64) Revision submitted on August 7, 1981 by the New York State Department of Environmental Conservation which grants a "special limitation" to relax to 1.5 percent, by weight, for up to two years from February 22, 1982, the sulfur-in-fuel oil limitation applicable to units 2 and 3 of Consolidated Edison of New York State, Inc.'s

Arthur Kill generating facility and to unit 3 of its Ravenswood generating facility, all located in New York City.

(65) Revision submitted on January 8, 1982 by the New York State Department of Environmental Conservation which grants a "special limitation" to relax to 2.8 percent, by weight, for up to three years from March 5, 1982, the sulfur-in-fuel oil limitation applicable to the General Electric Company's Rotterdam Steam Generating Facility located in Schenectady, New York.

(66) Revision submitted on July 9, 1982 by the New York State Department of Environmental Conservation which grants a "special limitation" allowing the New York State Office of Mental Health's Kings Park Psychiatric Facility to burn coal with a maximum sulfur content of 2.2 pounds of sulfur per million Btu gross heat content, for up to three years from August 11, 1982.

(67) A March 23, 1981, letter from the New York State Departmelt of Environmental Conservation including an interim policy memorandum detailing procedures to be used by the State to determine compliance with the State's emission standard for coke oven gas.

(68) Regulatory information submitted by New York State Department of Environmental Conservation for controlling volatile organic compounds, dated:

(i) July 2, 1981, providing a comprehensive set of adopted regulations.

(ii) August 19, 1981, Consent Order, 81-36, 9-04.20, with Dunlop Tire and Rubber Corporation for control of volatile organic compounds.

(A) Amendment of Consent Order dated January 29, 1982.

(B) Amendment of Consent Order dated March 3, 1982.

(iii) July 25, 1983, providing final regulations to be incorporated into Title 6 of the New York Code of Rules and Regulations.

(iv) November 13, 1981 letter from Harry Hovey, Director of Air Division, New York State Department of Environmental Conservation concerning applicability of regulations in redesignated AQCR's.

(v) April 27, 1983 letter from Harry Hovey, Director of Air Division, New York State Department of Environmental Conservation concerning maximum operating heat input.

(69) State Implementation Plan revision dated February 15, 1984 from the Department of Environmental Conservation consisting of changes to New York State Department of Motor Vehicles monitoring and enforcement procedures for motor vehicle emission inspection stations.

(70) A State Implementation Plan for attainment of the lead (Pb) standards was submitted on September 21, 1983. Additional information was submitted in a letter dated February 16, 1984. These submittals included the following:

(i) Revision to Part 225 of Title 6, Official Compilation of Codes, Rules and Regulations of the State of New York.

(ii) Revision to Part 231 of Title 6, Official Compilation of Rules and Regulations of the State of New York.

(iii) Air Guide-14, "Process Sources Which Emit Lead or Lead Compounds."

(iv) Air Guide-17, "Trade and Use of Waste Fuel for Energy Recovery Purposes."

(71) Revision submitted on August 21, 1984 by the New York State Department of Environmental Conservation which grants a "special limitation" establishing, until September 24, 1986 from December 20, 1984, a maximum sulfur-in-fuel-oil limitation of 2.8 percent, by weight, and from September 25, 1986 until December 31, 1987 a sulfur-in-fuel-oil limitation of 2.0 percent, by weight, for the Long Island Lighting Company's Northport generating facility, units 1, 2 and 3, and the Port Jefferson generating facility, units 3 and 4.

(72) Revisions to the New York State Implementation Plan for attainment and maintenance of the ozone and carbon monoxide standards in the New York City metropolitan area submitted on July 1, 1982, August 3, 1982, July 25, 1983, February 7, 15, 17, 1984, and October 1, 17, 1984, November 30, 1984, January 4, and 30, 1985 and March 6, 1985 by the Governor of New York State and by the New York State Department of Environmental Conservation.

(73) Revision to the New York State Implementation Plan submitted by the New York State Department of Environmental Conservation on June 7 and October 14, 1982 to allow Orange and Rockland Utilities, Inc. to reconvert its Lovett Generating Station in Stony Point from oil to coal. This action grants the utility a "special limitation" under Part 225 to relax the existing emission limit for coal burning from 0.4 pounds of sulfur dioxide per million British thermal units (lb/MMBtu) to 1.0 lb/MMBtu for units 4 and 5 if both are operated on coal, or to 1.5 lb/MMBtu for one unit if the other is operated on fuel oil, natural gas, or is not operated. A letter dated September 5, 1984 from Orange and Rockland Utilities, Inc., committing to meet the terms and conditions of EPA's August 30, 1984 letter.

(74) Regulatory information submitted by New York State Department of Environmental Conservation for controlling various pollutants and establishing continuous emission monitoring requirements for sulfuric and nitric acid plants, dated December 27, 1984, providing adopted revisions to regulations Parts 201, 212, 223 and 224.

(75) A revision to the New York State Implementation Plan for attainment and maintenance of the ozone standards was submitted on January 2, 1986 by the New York State Department of Environmental Conservation.

(i) Incorporated by reference:

(A) Part 217, "Emissions from Motor Vehicles Propelled by Gasoline Engines," effective January 29, 1986.

[37 FR 10882, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1670, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1671 Classification of regions.

The New York plans were evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Niagara Frontier Intrastate	I	I	III	III	I
Champlain Valley Interstate	II	II	III	III	III
Central New York Intrastate	I	II	III	I	I
Genesee-Finger Lakes Intrastate	II	II	III	III	I
Hudson Valley Intrastate	I	II	III	III	III
Southern Tier East Intrastate	II	II	III	III	III
Southern Tier West Intrastate	II	II	III	III	III
New Jersey-New York-Connecticut Interstate	I	I	I	I	I

[37 FR 10882, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.1672 Extensions.

(a) The Administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submission of New York's plan for attainment and maintenance of the secondary standards for particulate matter in the Village of Solvay and areas of the City of Syracuse and the City of New York.

(b) The Administrator hereby extends the statutory deadline for attainment of carbon monoxide and ozone national ambient air quality standards in the New Jersey-New York-Connecticut Air Quality Control Region to December 31, 1987. Specific attainment dates shall be defined, as applicable, in the plan revision to be submitted by July 1, 1982.

[45 FR 33993, May 21, 1980]

§ 52.1673 Approval status.

(a) With the exceptions set forth in this section, the Administrator approves the New York State Implementation Plan (SIP) for the attainment and maintenance of the national standards under section 110(a)(2) of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I of the Clean Air Act, as amended in 1977. In addition, continued satisfaction of the requirements of Part D for the ozone element of the SIP depends on the adoption and submittal of requirements for reasonable available control technology (RACT) by January 1985 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by Control Techniques Guidelines (CTGs) issued by the previous January.

(b) The New York SIP is disapproved for the attainment and maintenance of the national standards for particulate matter as it relates to the Niagara Frontier Air Quality Control Region.

[50 FR 25079, June 17, 1985]

§ 52.1674 [Reserved]

§ 52.1675 Control strategy and regulations: Sulfur oxides.

(a)-(c) [Reserved]

(d) Section 225.3(e) of Subchapter A, Chapter III, Title 6 of New York State's Official Compilation of Codes, Rules and Regulations, is disapproved since it does not provide for the type of permanent control necessary to assure attainment and maintenance of national standards.

(e) Any special limitation promulgated by the Commissioner under 6 NYCRR section 225.2(b) and (c), any exception issued by the Commissioner under 6 NYCRR section 225.3, and any permission issued by the Commissioner under 6 NYCRR section 225.5(c) shall not exempt any person from the requirements otherwise imposed by 6 NYCRR Part 225; provided that the Administrator may approve such special limitation, exception or permission as a plan revision when the provisions of this part, section 110(a)(3)(A) of the Act, and 40 CFR Part 51 (relating to approval of and revisions to State implementation plans) have been satisfied with respect to such special limitation, exception or permission.

(f) Temporary fuel variances.

Source	Location	Regulation involved	Date of adoption	Effective date	Termination date
(i) Fuel oil:					
Northville Industries Corp	Suffolk County	Part 225	Oct. 26, 1973	Immediately	Jan. 15, 1974
Consolidated Edison Plants	New York City	Part 225	Nov. 27, 1973	do	Mar. 31, 1974
Orange & Rockland Utilities Inc.	Rockland County.	Part 225	Jan. 31, 1974	do	Apr. 30, 1974
(ii) Coal:					
Arthur Kill Plant, Consolidated Edison.	New York City	Part 225	Nov. 27, 1973	do	Mar. 31, 1974
Lovett Plant (Units 4 & 5), Orange & Rockland Utilities.	Rockland County.	Part 225	Jan. 31, 1974	do	Apr. 30, 1974

(g) The following applies to the Environmental Protection Agency's approval as a SIP revision of the "special limitation" promulgated by the Commissioner of the New York State Department of Environmental Conservation on November 20, 1979 permitting the purchase and use by the Consolidated Edison Company of New York, Inc. of fuel oil with a maximum sulfur content of 1.5 percent, by weight, at units 2 and 3 of its Arthur Kill generating facility on Staten Island, New York and unit 3 of its Ravenswood generating station in Queens, New York:

(1) On or before the "Date of Conversion" indicated below, each "Facility" indicated below shall combust only natural gas for the duration of the special limitation.

(a) City College of New York, Amsterdam Ave. between W. 135th St. and W. 138th St., Manhattan—

North Campus Academic Center: Converted North Campus Main Boiler (Compton Hall): Two boilers shut-down; One boiler converted;

South Campus—Boiler Plant: Converted;
North Campus Science and Physical Education Building: October 1, 1980.

(b) Harlem Hospital, 135th St. and Lenox Ave., Manhattan: April 1, 1981;

(c) Columbia University, 116th St. and Broadway, Manhattan: Converted;

(d) New York City Housing Auth., Senator Robert F. Wagner Houses, 23-96 First Ave.: October 1, 1980;

(e) New York City Housing Auth., Frederick Douglass Houses, 880 Columbus Ave., Manhattan: October 1, 1980;

(f) New York City Housing Auth., Manhattanville Houses, 549 W. 126th St., Manhattan: October 1, 1980;

(g) New York City Housing Auth., St. Nicholas Houses, 215 W. 127th St.: October 1, 1980;

(h) New York City Housing Auth., General Grant Houses, 1320 Amsterdam Ave., Manhattan: October 1, 1980;

(i) New York City Housing Auth., Harlem River Houses, 211-0-1 W. 151st Street, Manhattan: October 1, 1980;

(j) New York City Housing Auth., Martin Luther King Towers, 90 Lenox Ave., Manhattan: October 1, 1980;

(k) New York City Housing Auth., Drew Hamilton Houses, 210 W. 142nd Street, Manhattan: October 1, 1980.

(2) If any of the facilities identified in paragraph (g)(1) of this section, fail to meet the requirements of that paragraph, the Consolidated Edison Company shall not burn fuel oil with a sulfur content in excess of 0.30 percent, by weight. For this purpose, Consolidated Edison shall maintain a reserve supply of fuel oil with a maximum sulfur content of 0.30 percent, by weight, and shall have a mechanism to switch promptly to the use of such fuel oil.

(3) EPA's approval of this revision to the New York SIP will extend for a period of twelve months from [August 11, 1980] or such longer period limited to twelve months from the date on which fuel oil with a sulfur content exceeding 0.30 percent, by weight, is first burned at any of the affected Consolidated Edison facilities. However, once the use of high sulfur fuel oil has commenced, failure to meet any of the conversion dates specified in paragraph (g)(1) of this section shall not extend the period of EPA approval.

(4) On or before July 1, 1981 the Consolidated Edison Company of New York, Inc. shall displace the use of approximately 7.1 million gallons of residual oil, as projected on an annual basis, through a gas conversion program to be implemented within a two-mile radius of the Mabel Dean Bacon High School Annex monitor. Beginning on the first day of the month in which fuel oil with a sulfur content exceeding 0.30 percent, by weight, is first burned at any of the affected Consolidated Edison facilities and continuing for twelve months thereafter, the Consolidated Edison Company of New York, Inc. shall submit a report to the EPA, on a monthly basis, which includes, but is not limited to, the following information regarding this program:

(i) The total gallonage of fuel oil capacity converted (projected to an annual amount) as of that date,

(ii) The potential gallonage from sources at which conversion work has begun, and

(iii) The projected gallonage from sources expected to be converted by July 1, 1981.

(h) The following applies to the Environmental Protection Agency's (EPA's) approval as State Implementation Plan (SIP) revision of a "special limitation" promulgated by the New York State Department of Environmental Conservation on June 7, 1982 and amended on October 14, 1982 permitting the reconversion of Orange and Rockland Utilities, Inc. Lovett Generating Station in Stony Point from oil to coal. This action relaxes the emission limit applicable to this facility from 0.4 pounds of sulfur dioxide per million British thermal units (lb/MMBtu) to 1.0 lb/MMBtu for units 4 and 5 if both are operating on coal, or to 1.5 lb/MMBtu for one unit if the other is operated on fuel oil, natural gas, or is not operated.

(1) EPA's approval of the New York SIP revision request is limited to a term of 42 months (unless extended) during which three competing air quality dispersion models will be evaluated to determine which is the best predictor of air quality in the vicinity of the plant. The terms, conditions and schedule under which this evaluation is to be conducted are contained in the State's SIP revision request and in the following documents:

"Quality Assurance Plan for the Lovett Sulfur Dioxide Monitoring Network" Submitted January 1984.

"Quality Assurance Plan for the Lovett Meteorological Monitoring Network" Submitted January 1984.

"Protocol for the Evaluation and Comparison of Air Quality Models for Lovett Generating Station" submitted July 1984.

Agreement by ORU submitted on September 5, 1984 in response to EPA's request dated August 30, 1984.

EPA's approval is predicated on an adherence to these terms, conditions and schedule.

(2) If the following conditions are met, EPA may, upon notice in the FEDERAL REGISTER, extend the period during which coal conforming to limits described in paragraph (h) can be burned at Lovett until EPA's processing of a permanent SIP revision is completed:

(i) The final dispersion model report has been submitted on schedule by ORU.

(ii) A permanent SIP revision request for limiting fuel sulfur content at the Lovett Plant has been submitted to EPA by New York State.

(iii) This SIP revision request permits the use of 0.7 percent sulfur content coal or coal of a higher sulfur content.

(iv) ORU has agreed to continue the full operation of its air quality monitoring network as established for the study and to abide by the terms of its agreement with EPA concerning corrective action in the event of monitored violations of the national ambient air quality standards.

[37 FR 19815, Sept. 22, 1972, as amended at 38 FR 31296, Nov. 13, 1973; 39 FR 1441, Jan. 9, 1974; 39 FR 9666, Mar. 13, 1974; 39 FR 30038, Aug. 20, 1974; 40 FR 23745, June 2, 1975; 45 FR 53144, Aug. 11, 1980; 50 FR 23007, May 30, 1985]

§ 52.1676 Control strategy: Nitrogen dioxide.

(a) The requirements of § 52.14(c)(3) of this chapter as of May 8, 1974 (39 FR 16347), are not met since the plans do not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

(b) Section 227.5(b) of 6 NYCRR, as submitted on August 10, 1979, is disapproved because it is inconsistent with 40 CFR Subpart G, Control strategy: Carbon monoxide, hydrocarbons, ozone, and nitrogen dioxide.

[37 FR 19815, Sept. 22, 1972, as amended at 39 FR 16347, May 8, 1974; 46 FR 55693, Nov. 12, 1981; 51 FR 40675, 40677, Nov. 7, 1986]

§ 52.1677 Compliance schedules.

(a) The requirements of § 51.261 of this chapter are not met since the compliance schedule for Part 220 of Subchapter A, Chapter III, Title 6 of New York State's Official Compilation of Codes, Rules and Regulations, does not provide for attainment and maintenance of the national standards for particulate matter by the dates required by the Act.

(b) The requirements of § 51.262(a) of this chapter are not met since sections 223.1(a), 225.3(c), and 230.2(d) of Subchapter A, Chapter III, Title 6 of New York State's Official Compilation of Codes, Rules and Regulations do not require the reporting of periodic increments of progress toward compliance by affected sources or categories of sources.

(c) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(d) Federal compliance schedules. (1) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the requirements of section 225.3(c) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet the requirements of said regulation.

(2) Any owner or operator of a stationary source subject to paragraph (d)(1) of this section who elects low-sulfur fuel shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with section 225.3(c) of the codes, rules, and regulations cited in paragraph (d)(1) of this section on June 30, 1975, and October 1, 1975, respectively, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) June 15, 1974—Initiate onsite modifications, if applicable.

(vi) February 28, 1975—Complete onsite modifications, if applicable.

(vii) (*a*) June 30, 1975—Final compliance with the low-sulfur fuel requirements of section 225.3(c) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations.

(*b*) October 1, 1975—Final compliance with the low-sulfur fuel requirements of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations.

(3) Any owner or operator of a stationary source subject to paragraph (d)(1) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) November 1, 1973—Let necessary contracts for construction.

(ii) March 31, 1974—Initiate onsite construction.

(iii) February 28, 1975—Complete onsite construction.

(iv) (*a*) June 30, 1975—Final compliance with the requirements of section 225.3(c) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations.

(*b*) October 1, 1975—Final compliance with the requirements of Subchapter A, Title 6 of New York State's official compilation of codes, rules, and regulations.

(v) If a performance test is necessary for a determination as to whether compliance with subpart (3)(iv)(a) or (b) has been achieved, such a test must be completed by June 30, 1975, or October 1, 1975, respectively. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(4) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the requirement of section 230.2(d) of Subchapter A, Chapter III, Title 6 of the New York State's official compilation of codes, rules, and regulations shall notify the Administrator no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet the requirements of said regulation.

(5) Any owner or operator of a stationary source subject to paragraph (d)(4) of this section who elects low-sulfur fuel shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with section 230.2(d) of the codes, rules, and regulations cited in paragraph (4) of this paragraph (d) on October 1, 1974, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) June 15, 1974—Initiate onsite modifications, if applicable.

(vi) September 3, 1974—Complete onsite modifications, if applicable.

(vii) October 1, 1974—Final compliance with the low-sulfur fuel requirements of section 230.2(d) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations.

(6) Any owner or operator of a stationary source subject to paragraph (d)(5) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) November 1, 1973—Let necessary contracts for construction.

(ii) December 31, 1973—Initiate onsite construction.

(iii) September 1, 1974—Complete onsite construction.

(iv) October 1, 1974—Final compliance with the requirements of section 230.2(d) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations.

(v) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by October 1, 1974. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(7) The owner or operator of any petroleum refinery subject to the requirements of section 223.1(a) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations shall comply with the compliance schedule in paragraph (d)(8) of this section.

(8) Any owner or operator of a petroleum refinery subject to paragraph (d)(7) of this section shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit final control plan to the Administrator.

(ii) February 28, 1974—Let necessary contracts for construction or installation of emission control equipment.

(iii) June 30, 1974—Initiate onsite construction or installation of emission control equipment.

(iv) November 30, 1974—Complete onsite construction or installation of emission control equipment.

(v) December 31, 1974—Final compliance with the requirements of section 223.1(a) of Subchapter A, Chapter III, Title 6 of New York State's official compilation of codes, rules, and regulations.

(9) The owner or operator of any coke oven battery subject to the requirements of Part 214, sections 214.2 and 214.4, of Subchapter A, Chapter III, Title 6 of the New York State's official compilation of codes, rules, and regulations for a facility with an environmental rating B as determined by Part 212 of Subchapter A, Chapter III, Title 6 of the New York State official compilation of codes, rules, and regulations, shall comply with the compliance schedule in paragraph (d)(10) of this section.

(10) Any owner or operator of a coke oven battery subject to paragraph (d)(9) of this section shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit final control plan to the Administrator.

(ii) February 1, 1974—Let necessary contract for construction or installation of control equipment.

(iii) April 15, 1974—Initiate onsite construction or installation of control equipment.

(iv) November 30, 1974—Complete onsite construction or installation of control equipment.

(v) December 31, 1974—Final compliance with the requirements of Part 214, sections 214.2 and 214.4, of the Subchapter A, Chapter III, Title 6 of the New York State's official compilation of codes, rules, and regulations.

(11) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(12) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(13) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraphs (d)(2), (3), (5), (6), (8), and (10) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

[37 FR 19815, Sept. 22, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1677, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1678 Control strategy and regulations: Particulate matter.

(a)-(c) [Reserved]

(d) Section 227.3(a)(2) of 6 NYCRR, as submitted on August 10, 1979, is disapproved because it is inconsistent with 40 CFR Subpart G, Control strategy: Sulfur oxides and particulate matter.

[46 FR 55693, Nov. 12, 1981, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1679 EPA-approved New York State regulations.

New York State regulation	State effective date	Latest EPA approval date	Comments
Part 200, General Provisions	4/783	1/26/84, 49 FR 3439	The maximum operating heat input (200.1 (gg)) will be as specified on a permit to construct or certificate to operate as per letter of Apr. 27, 1983 from H. Hovey, NYSDEC. Redesignation of nonattainment areas to attainment areas (200.1 (kk)) does not relieve a source from compliance with previously applicable requirements as per letter of Nov. 13, 1981 from H. Hovey, NYS-DEC.
Part 201, Permits and Certificates	5/10/84	7/19/85, 50 FR 29382	
Part 202, Emissions Testing, Sampling, and Analytical Determinations.	3/24/79	......do	
Part 204, Hydrocarbon Emissions from Storage and Loading Facilities—New York City Metropolitan Area.	8/12/72	9/22/72, 37 FR 19814	
Part 205, Photochemically Reactive Solvents and Solvents from Certain Processes—New York City Metropolitan Area.	8/23/79	5/21/80, 45 FR 33981	
Part 207, Control Measures for an Air Pollution Episode.	3/24/79	11/12/81, 46 FR 55690	
Part 211, General Prohibitions	8/11/83	1/26/84, 49 FR 3439	
Part 212, Processes & Exhaust and/or Ventilation Systems.	5/10/84	7/19/85, 50 FR 29382	
Part 213, Contaminant Emissions from Ferrous Jobbing Foundries.	6/27/72	9/22/72, 37 FR 19814	
Part 214, By-Product Coke Oven Batteries	8/12/72	......do	
Part 214, By-Product Coke Oven Batteries (with provisions as noted).	8/23/79		Sections 214.2(a) and 214.2(b)(1) are only incorporated provisionally pending additional RACT evaluation (40 CFR 52.1678 (b)(1) and (b)(2).

New York State regulation	State effective date	Latest EPA approval date	Comments
Part 216, Iron and/or Steel Processes (with provisions as noted).	8/23/79		Sections 216.1(a), 216.1(b), 216.1(c) and 216.2(c) are only incorporated provisionally pending additional RACT evaluations (40 CFR 52.1678 (b)(3) and (c)).
Part 217, Emissions from Motor Vehicles Propelled by Gasoline Engines.	1/29/86	11/7/86, 51 FR 40414	
Part 219, Incinerators	5/1/82	9/22/72, 37 FR 19814	
Part 220, Portland Cement Plants	3/14/73	11/12/81, 46 FR 55690	
Part 222, Incinerators—New York City, Nassau and Westchester Counties.	7/17/72	9/22/72, 37 FR 19814	
Part 223, Petroleum Refineries	8/9/84	7/19/85, 50 FR 29382	
Part 224, Sulfuric and Nitric Acid Plants	5/10/84	do	Variances adopted by the State pursuant to Part 224.6(b) become applicable only if approved by EPA as SIP revisions 7/19/85, 50 FR 29382.
Subpart 225-1, Fuel Composition and Use-Sulfur Limitations.	3/24/79	11/12/81, 46 FR 55690	Section 225.3(e) is disapproved (40 CFR 52.1675(d)). Variances adopted by the State pursuant to §§ 225.2(b) and (c), 225.3, and 225.5(c) become applicable only if approved by EPA as SIP revisions (40 CFR 52.1675(e)).
Subpart 225-2, Fuel Composition and Use-Waste Fuel.	7/26/83	8/2/84	
Part 226, Solvent Metal Cleaning	8/23/79	11/10/80, 45 FR 74472	
Part 227, Stationary Combustion Installations (except as noted).	3/24/79	11/12/81, 46 FR 55690	Sections 227.3(a)(2), 227.5(b), 227.6(a) and 227.6(f) are disapproved (40 CFR 52.1676(b), 52.1678(d), and 52.1680(a)).
Part 227, Stationary Combustion Installations/section 227.2(b)(1).	5/1/72	9/22/72, 37 FR 19814	
Part 228, Surface Coating Processes:			
228.1, Applicability and Compliance	8/23/79	11/10/80, 45 FR 74472	Group I CTG sources are subject to final compliance dates as they appear in Section 228.1, effective Aug. 23, 1979.
228.1–228.8	8/11/83	1/26/84, 49 FR 3439	
Part 229, Petroleum Liquids Storage and Transfer.	6/21/80	7/1/80, 45 FR 44273	
Part 231, Major Facilities	6/21/80	do	
Part 232, Dry Cleaning	8/11/83	6/17/85, 50 FR 25079	EPA has not determined that § 232.3(a) provides for reasonably available control technology.
Part 233, Pharmaceutical Manufacturing Processes.	5/10/81	1/26/84, 49 FR 3439	
Part 234, Graphic Arts	4/7/83	do	

[46 FR 55692, Nov. 12, 1981, as amended at 46 FR 62064, Dec. 22, 1981; 49 FR 3439, Jan. 26, 1984; 49 FR 30939, Aug. 2, 1984; 50 FR 25079, June 17, 1985; 50 FR 29382, July 19, 1985; 51 FR 40420, Nov. 7, 1986]

§ 52.1680 Control strategy: Monitoring and reporting.

(a) Section 227.6 (a) and (f) are disapproved because they are not consistent with the continuous monitoring and reporting requirements of 40 CFR 51.214.

[46 FR 55693, Nov. 12, 1981, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.1681 Control strategy: Lead.

As part of the attainment demonstration for lead, the State of New York has committed to rate all sources of lead or lead compound emissions with either an "A" or "B" environmental rating pursuant to 6 NYCRR Part 212.

[49 FR 30939, Aug. 2, 1984]

§ 52.1682 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information contained in the New York State plan. Further information on the specific boundaries of the "nonattainment" "unclassifiable," and "attainment" areas is found in § 81.333 of this chapter.

<table>
<tr><th rowspan="3">Air quality control region and nonattainment area</th><th colspan="8">Pollutants</th></tr>
<tr><th colspan="2">TSP</th><th colspan="2">SO₂</th><th rowspan="2">NO₂</th><th rowspan="2">CO</th><th rowspan="2">O₃</th><th rowspan="2">Pb</th></tr>
<tr><th>Primary</th><th>Secondary</th><th>Primary</th><th>Secondary</th></tr>
<tr><td>New Jersey-New York-Connecticut Interstate:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td> City of New York:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>   Borough of Manhattan</td><td>a</td><td>c</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td>   Borough of Bronx (portion)</td><td>a</td><td>c</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td>   Borough of Brooklyn (portion)</td><td>a</td><td>c</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td>   Borough of Queens (portion)</td><td>a</td><td>c</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td>   Borough of Staten Island (portion)</td><td>a</td><td>c</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td>   Remainder of City of New York</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td> City of Yonkers</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td> City of Mount Vernon</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td> County of Nassau (portion)</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>d</td><td>d</td><td>a</td></tr>
<tr><td> Remainder of AQCR</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>d</td><td>a</td></tr>
<tr><td>Niagara Frontier Intrastate:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td> City of Buffalo (portion)</td><td>e</td><td>e</td><td>b</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td> City of Lackawanna (portion)</td><td>e</td><td>e</td><td>b</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td> City of Cheektowaga (portion)</td><td>e</td><td>e</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td> Town of Amherst (portion)</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td> Remainder of AQCR</td><td>e</td><td>e</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td>Southern Tier East Interstate</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td></tr>
<tr><td>Champlain Valley Interstate</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td></tr>
<tr><td>Southern Tier West Interstate:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td> City of Jamestown</td><td>a</td><td>b</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td></tr>
<tr><td> Remainder of AQCR</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td></td></tr>
<tr><td>Genesee Finger Lakes Interstate:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td> Monroe County (portion)</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td> Remainder of AQCR</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td>Central New York Interstate:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td> County of Onondaga:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>   City of Syracuse (portion)</td><td>b</td><td>c</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td>   Remainder of City of Syracuse</td><td>a</td><td>b</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td>   Village of Solvay</td><td>a</td><td>c</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td>   Village of East Syracuse</td><td>a</td><td>b</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td>   Remainder of County</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td> County of Cayuga</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
<tr><td> Remainder of AQCR</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td></tr>
<tr><td>Hudson Valley Interstate:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td> County of Albany:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>   City of Albany (portion)</td><td>a</td><td>b</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td>   City of Watervliet</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td>   Town of Colonie (portion)</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>b</td><td>a</td></tr>
<tr><td>   Remainder of County</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>a</td><td>b</td><td>a</td></tr>
</table>

Air quality control region and nonattainment area	Pollutants							
	TSP		SO₂		NO₂	CO	O₃	Pb
	Primary	Secondary	Primary	Secondary				
County of Columbia	a	a	a	a	a	a	b	a
County of Dutchess	a	a	a	a	a	a	b	a
County of Greene:								
Town of Catskill (portion)	a	b	a	a	a	a	b	a
Remainder of County	a	a	a	a	a	a	b	a
County of Orange	a	a	a	a	a	a	b	a
County of Putnam	a	a	a	a	a	a	b	a
County of Rensselaer:								
City of Troy	a	a	a	a	a	b	b	a
Remainder of County	a	a	a	a	a	a	b	a
County of Schenectady:								
City of Schenectady	a	a	a	a	a	b	b	a
Remainder of County	a	a	a	a	a	a	b	a
County of Ulster	a	a	a	a	a	a	b	
County of Saratoga:								
Town of Waterford	a	a	a	a	a	b	b	a
Town of Clifton Park	a	a	a	a	a	a	b	a
Town of Halfmoon	a	a	a	a	a	a	b	a
City of Mechanicville	a	a	a	a	a	a	b	a
Remainder of AQCR	a	a	a	a	a	a	a	a

a. Air Quality levels presently attain standards or area is unclassifiable.

b. December 31, 1982.

c. 18-month extension, until July 1, 1980, for plan revision submission granted. The earlier attainment date remains applicable until the plan revision is approved; this date is set out in the 1978 edition of the *Code of Federal Regulations* at 40 CFR Part 52, § 52.1682.

d. December 31, 1987 or such earlier date as defined in the plan revision approved on June 17, 1985.

e. Revision of earlier date to be defined at such time as formal action is taken on the plan revision submitted pursuant to Part D requirements of the Clean Air Act, as amended. The earlier attainment date is set out in the 1978 edition of the *Code of Federal Regulations* at 40 CFR Part 52, § 52.1682.

NOTE 1: Footnotes which are italicized are prescribed by the Administrator because plan did not provide a specific date the date provided was not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out in the 1978 edition of the *Code of Federal Regulations* at 40 CFR Part 52, § 52.1682.

[45 FR 7812, Feb. 5, 1980, as amended at 45 FR 33994, May 21, 1980; 45 FR 74478, Nov. 10, 1980; 49 FR 30939, Aug. 2, 1984; 50 FR 25079, June 17, 1985]

§ 52.1683 Control strategy: Ozone.

The State of New York has certified to the satisfaction of the EPA that no sources are located in the nonattainment area of the State which are covered by the following Control Technique Guidelines:

(a) Natural Gas/Gasoline Processing Plants.

(b) Air Oxidation Processes at Synthetic Organic Chemical Manufacturing Industries.

[52 FR 23830, June 25, 1987]

§§ 52.1684—52.1687 [Reserved]

§ 52.1688 Maintenance of national standards.

(a) The areas listed below which were identified by the State of New York are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Binghamton Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Broome County (part), Binghamton City, Town of Vestal, Town of Union, Town of Binghamton, Town of Maine, Town of Dickinson, Town of Conklin, Town of Kirkwood, Town of Fenton, Town of Chenago, Tioga County (part), Town of Owego.

(2) New Jersey-New York Interstate Air Quality Maintenance Area (New York Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, nitrogen dioxide, carbon monoxide, and photochemical oxidants.

(ii) Geographical composition of area:

New York City, Nassau County, Rockland County, Suffolk County, Westchester County.

(3) Niagara Frontier Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Erie County, Niagara County.

(4) Utica-Rome Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Herkimer County, (part), Town of Schuyler, Town of Frankfort, Oneida County, (part), Utica City, Rome City, Town of Lee, Town of Floyd, Town of Kirkland, Town of Trenton, Town of Deerfield, Town of Marcy, Town of Whitestown, Town of Westmoreland, Town of New Hartford, Town of Paris.

(5) Elmira-Corning Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Chemung County (part), Elmira City, Town of Southport, Town of Ashland, Town of Elmira, Town of Horseheads, Town of Big Flats, Steuben County (part), Corning City, Town of Corning, Town of Erwin.

(6) Rochester Air Quality Maintenance Area.

(i) Pollutant for which the area is designated: Particulate matter.

(ii) Geographical composition of area:

Livingston County (part), Town of Caledonia, Town of Avon, Town of Lima, Ontario County (part), Canandaigua City, Town of West Bloomfield.

Town of Victor, Town of East Bloomfield, Town of Farmington, Town of Canandaigua, Monroe County, Wayne County (part), Town of Ontario, Town of Walworth, Town of Macedon.

(7) Jamestown Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Chautauqua County (part), Jamestown City, Town of Chautauqua, Town of North Harmony, Town of Ellery, Town of Busti, Town of Kiantone, Town of Ellicott, Town of Poland.

(8) Syracuse Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Onondaga County.

(9) Capital District Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Albany County, excluding the following: Town of Berne, Town of Knox, Town of Rensselaerville, Town of Westerlo, Montgomery County (part), Amsterdam City, Town of Amsterdam, Rensselaer County, excluding the following: Town of Nassau, Town of Stephentown, Town of Berlin, Town of Petersburg, Town of Grafton, Town of Pittstown, Town of Hoosick, Saratoga County (part), Mechanicville City, Town of Halfmoon, Town of Waterford, Town of Clifton Park, Schenectady County, excluding the following: Town of Duanesburg.

(10) Mid-Hudson Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Dutchess County, excluding the following: Town of Pawling, Town of Dover, Town of Union Vale, Town of Amenia, Town of Washington, Town of Clinton, Town of Stanford, Town of Northeast, Town of Pine Plains, Town of Milan, Orange County, Putnam County.

Ulster County, excluding the following: Town of Woodstock, Town of Shandaken, Town of Hardenburgh, Town of Denning, Town of Olive, Town of Rochester, Town of Wawarsing.

[40 FR 41951, Sept. 9, 1975; 40 FR 45817, Oct. 3, 1975; 40 FR 59729, Dec. 30, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.1689 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) *Regulations for preventing significant deterioration of air quality.* The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of New York.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

Subpart II—North Carolina

§ 52.1770 Identification of plan.

(a) Title of plan: "The North Carolina State Implementation Plan for Air Quality."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory additions to the plan submitted on May 5, 1972, by the North Carolina Department of Natural and Economic Resources.

(2) Letter indicating procurement of additional monitors submitted on May 9, 1972, by the North Carolina Department of Natural and Economic Resources.

(3) Compliance schedules submitted on February 13, 1973, by the North Carolina Department of Natural and Economic Resources.

(4) Compliance schedules submitted on February 14, 1973, by the North Carolina Department of Natural and Economic Resources.

(5) Compliance schedules submitted on March 2, 1973, by the North Carolina Department of Natural and Economic Resources.

(6) Compliance schedules submitted on April 24, 1973, by the North Carolina Department of Natural and Economic Resources.

(7) Compliance schedules submitted on November 2, 1973, by the North Carolina Department of Natural and Economic Resources.

(8) Indirect source review regulation No. 9 submitted on November 16, 1973, by the North Carolina Department of Natural and Economic Resources.

(9) Compliance schedules submitted on November 20, 1973, by the North Carolina Department of Natural and Economic Resources.

(10) Revisions to indirect source review regulation No. 9 and AQMA identification material submitted on April 1, 1974, by the North Carolina Department of Natural and Economic Resources.

(11) Compliance schedules submitted on May 13, 1974, by the North Carolina Department of Natural and Economic Resources.

(12) Compliance schedules submitted on November 7, 1974, by the North Carolina Department of Natural and Economic Resources.

(13) AQMA identification material submitted on November 22, 1974, by the North Carolina Department of Natural and Economic Resources.

(14) Compliance schedules submitted on November 27, 1974, by the North Carolina Department of Natural and Economic Resources.

(15) Revised ambient SO_2 and NO_2 standards, submitted on March 23, 1976, by the North Carolina Department of Natural and Economic Resources.

(16) Regulations extending visible emissions standard, adopting EPA's New Source Performance Standards (40 CFR Part 60) and revising emission monitoring of stationary sources (40 CFR Part 51.19), submitted June 24, 1976, by North Carolina Department of Natural and Economic Resources.

(17) Letter requesting delegation of Federal authority for the administrative and technical portions of the prevention of significant deterioration program, submitted on June 24, 1976, by the Secretary of the North Carolina Department of Natural and Economic Resources.

(18) Miscellaneous plan revisions, submitted on November 1, 1976, by the North Carolina Department of Natural and Economic Resources.

(19) Regulations governing emissions of sulfur dioxide from the roasting of spodumene ore, submitted on February 14, 1978, by the North Carolina Department of Natural Resources and Community Development.

(20) Request for an 18-month extension of the statutory timetable for submitting a plan to attain and maintain the secondary ambient standard for particulate matter in the Spruce Pine nonattainment area, submitted on February 1, 1979, by the North Carolina Department of Natural Resources and Community Development.

(21) 1979 implementation plan revisions for the Mecklenburg County ozone and carbon monoxide nonattainment areas, including regulations 2D.0901-.0931 and 2H.0608, adopted on June 14, 1979, and submitted on June 15 and July 25, 1979, by the North Carolina Department of Natural Resources and Community Development.

(22) Three-year variance for the coal-fired units of Duke Power Company and Carolina Power & Light Company from the particulate emission limits of Regulation 15 N.C.A.C. 2D.0503, with submittals on June 18, September 7, October 31, and December 14, 1979, by the North Carolina Department of Natural Resources and Community Development.

(23) Revised regulations 2D.0903 and 2D.0931, adopted on April 10, 1980, and submitted on May 2, 1980, by the North Carolina Department of Natural Resources and Community Development to correct deficiencies in the Part D ozone revisions given conditional approval on April 17, 1980.

(24) Corrections in Part D carbon monoxide revisions conditionally approved on April 17, 1980, submitted on May 22 (this submittal included Regulation 2H.0608(g)), July 1, and August 19, 1980, by the North Carolina Department of Natural Resources and Community Development.

(25) Miscellaneous revisions submitted on June 15, 1979 (provisions for interstate pollution abatement to satisfy section 126(a) of the Clean Air Act, and revised ambient standard for ozone), and on May 2, 1980 (revision of regulations 2D.0302, .0501, .0524, .0525, and .0603, addition of regulation 2H.0603(f), ambient standard for airborne lead, and provision for public participation to satisfy section 127(a) of the Clean Air Act), by the North

Carolina Department of Natural Resources and Community Development.

(26) Revisions of Section VI, Air Quality Surveillance, of the plan, submitted on August 19, 1980, by the North Carolina Department of Natural Resources and Community Development.

(27) Opacity limits for existing kraft pulp mill recovery furnaces (regulation 2D .0508(b)) and revised opacity limitations for other sources (revised regulation 2D .0521), submitted on March 22, 1977, and on April 19, 1978, by the North Carolina Department of Natural Resources and Community Development.

(28) Revisions in VOC regulations 2D.0902, .0903, .0905, .0907-.0912, and new VOC regulations 2D.0932-.0942, submitted on June 23, 1980, and revised regulation 2D.0936, submitted on April 29, 1981, by the North Carolina Department of Natural Resources and Community Development.

(29) Implementation plan for lead, submitted on May 2, 1980, by the North Carolina Department of Natural Resources and Community Development.

(30) Regulation 2D.0530, providing for prevention of significant deterioration, submitted on April 16, 1981, by the North Carolina Department of Natural Resources and Community Development.

(31) Addition of regulations 2D.0531 and 2D.0532 to replace repealed regulation 2H.0608, regulations providing for alternative emission reduction options, revised permit regulations (no action is taken on the addition of subdivision (h) to regulation 2H.0603), and miscellaneous other regulation changes, submitted on April 16, 1981, and relaxed annual ambient standard for particulate matter, submitted on September 14, 1981, by the North Carolina Department of Natural Resources and Community Development.

(32) Revised SO_2 limit for all but 24 (see FR of December 7, 1982) fuel-burning sources (changes in regulations 2D.0511 and .0516), submitted on March 22, 1977, and January 11, 1982, by the North Carolina Department of Natural Resources and Community Development.

(33) Permit restricting emissions of SO_2 from the Cliffside Steam Plant of Duke Power Company to 2.2 # per million Btu, submitted on September 24, 1982, by the North Carolina Department of Natural Resources and Community Development.

(34) Revised SO_2 limit for eight fuel-burning sources (See FR of February 10, 1983), submitted on March 22, 1977, and January 11, July 27, and August 26, 1982, by the North Carolina Department of Natural Resources and Community Development.

(35) Changes in regulations 2D.0524 and .0603, submitted on September 24, 1982, by the North Carolina Department of Natural Resources and Community Development.

(36) Bubble permit for E. I. du Pont de Nemours and Company, Kinston, submitted on May 18, 1983, by the North Carolina Department of Natural Resources and Community Development.

(37) 1982 revision of the Part D plan for the Mecklenburg County CO nonattainment area, submitted on June 17, 1982, and April 17, 1984, by the North Carolina Department of Natural Resources and Community Development.

(38) Revisions to the North Carolina Administrative Code were submitted to EPA on January 24, 1983.

(i) *Incorporation by reference.* (A) Letter of January 24, 1983 from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code Regulations which were adopted by the Environmental Management Commission on December 9, 1982:

15 NCAC 2D.0501, Compliance With Emission Control Standards

15 NCAC 2D.0503, Control of Particulates from Fuel Burning Sources

15 NCAC 2D.0504, Particulates from Wood Burning Indirect Heat Exchangers

15 NCAC 2D.0530, Prevention of Significant Deterioration

15 NCAC 2D.0531, Sources in Nonattainment Areas

15 NCAC 2D.0532, Sources Contributing to an Ambient Violation

15 NCAC 2D.0606, Other Coal or Residual Oil Burners

15 NCAC 2D.0902, Applicability (Volatile Organic Compounds)

15 NCAC 2H.0603, Applications (Air Quality Permits)

(39) Revisions to the North Carolina Administrative Code were submitted to EPA on April 17, 1984.

(i) *Incorporation by reference.* (A) Letter of April 17, 1984 from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code Regulations which were adopted by the Environmental Management Commission on April 12, 1984:

15 NCAC 2D.0101, Definitions and References
15 NCAC 2D.0103, Copies of Referenced Federal Regulations
15 NCAC 2D.0201, Classification of Air Pollution Sources
15 NCAC 2D.0202, Registration of Air Pollution Sources
15 NCAC 2D.0302, Episode Criteria
15 NCAC 2D.0303, Emission Reduction Plans
15 NCAC 2D.0304, Preplanned Abatement Program
15 NCAC 2D.0305, Emission Reduction Plan—Alert Level
15 NCAC 2D.0306, Emission Reduction Plan—Warning Level
15 NCAC 2D.0307, Emission Reduction Plan—Emergency Level
15 NCAC 2D.0401, Purpose (Ambient Air Quality Standards)
15 NCAC 2D.0402, Sulfur Oxides
15 NCAC 2D.0403, Suspended Particulates
15 NCAC 2D.0404, Carbon Monoxide
15 NCAC 2D.0405, Ozone
15 NCAC 2D.0407, Nitrogen Dioxide
15 NCAC 2D.0408, Lead
15 NCAC 2D.0501, Compliance With Emission Control Standards
15 NCAC 2D.0524, New Source Performance Standards
15 NCAC 2D.0601, Purpose and Scope (Monitoring, Reporting)
15 NCAC 2D.0602, Definitions
15 NCAC 2D.0604, Sources Covered by Implementation Plan Requirements
15 NCAC 2D.0605, Wood and Wood—Fossil Fuel Combination Units
15 NCAC 2D.0606, Other Coal or Residual Oil Burners
15 NCAC 2D.0607, Exceptions to Monitoring and Reporting Requirements
15 NCAC 2D.0608, Program Schedule
15 NCAC 2D.0610, Delegation
15 NCAC 2D.0801, Purpose and Scope (Complex Sources)
15 NCAC 2D.0802, Permits
15 NCAC 2D.0803, Highway Projects
15 NCAC 2D.0804, Airport Facilities
15 NCAC 2H.0601, Purpose and Scope (Air Quality Permits)
15 NCAC 2H.0602, Definitions
15 NCAC 2H.0604, Final Action on Permit Applications
15 NCAC 2H.0605, Issuance, Revocation and Enforcement of Permits
15 NCAC 2H.0606, Delegation of Authority
15 NCAC 2H.0607, Copies of Referenced Documents

(ii) *Additional material.* (A) The following regulations were repealed by the Environmental Management Commission on April 12, 1984:

15 NCAC 2D.0102, Phrases
15 NCAC 2D.0406, Hydrocarbons
15 NCAC 2D.0603, Sources Covered by National Standards

(40) Visibility Impairment Prevention Program and visibility new source review regulations were submitted to EPA on April 15, 1985.

(i) Incorporation by reference.

(A) Letter of April 15, 1985, from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code revisions which were adopted by the Environmental Management Commission on April 11, 1985: 15 NCAC 2D.0530, Prevention of Significant Deterioration 15 NCAC 2D.0531, Sources in Nonattainment Areas.

(ii) Additional material.

(A) Narrative submittal, titled "Visibility Impairment Prevention Program for Federal Class I Areas," adopted by the Environmental Management Commission on April 11, 1985.

(41) Updated air pollution control regulations submitted on March 31, 1976, by the North Carolina Department of Natural and Economic Resources. (No action is taken to approve regulation 2D.0523.)

(i) Incorporation by reference.

(A) NCAC Title 15, Department of Natural and Economic Resources, Chapter 2, Environmental Management, Recodification and other editorial revisions in regulations, effective February 1, 1976.

(ii) Other material—None.

(42) A new regulation covering malfunctions, (2D.0535 (a)—(f)), and the repeal of a malfunction rule for VOC sources (2D.0904) which were submitted to EPA on January 24, 1983.

(2D.0535(g) covering startups and shutdowns as submitted on April 17, 1984, is disapproved.)

(i) Incorporation by reference.

(A) New malfunction regulation 15 NCAC 2D.0535 paragraphs (a)-(f), as adopted by the Environmental Management Commission on December 9, 1982.

(ii) Additional material.

(A) Letter from Robert F. Helms, Director, Division of Environmental Management, dated January 24, 1983.

(43) Revisions to the North Carolina Administrative Code were submitted to EPA on March 18, 1985.

(i) Incorporation by reference.

(A) Changes in the following regulations were adopted by the Environmental Management Commission on March 14, 1985:

15 NCAC 2D.0606, Other Coal or Residual Oil Burners
15 NCAC 2D.0939, Determination of Volatile Organic Compound Emissions

(B) The following new regulations were adopted by the Environmental Management Commission on March 14, 1985:

15 NCAC 2D.0943, Synthetic Organic Chemical and Polymer Manufacturing
15 NCAC 2D.0944, Manufacturing of Polyethylene, Polypropylene, and Polystyrene
15 NCAC 2D.0945, Petroleum Dry Cleaning

(ii) Other material—none.

(44) Revisions to the North Carolina Administrative Code were submitted to EPA on April 15, 1985.

(i) Incorporation by reference.

(A) Changes in the following regulations were adopted by the Environmental Management Commission on April 11, 1985:

15 NCAC 2D.0202, Registration of Air Pollution Sources
15 NCAC 2D.0501, Compliance with Emission Control Standards (except the changes to paragraph (f)(1)(A))
15 NCAC 2D.0503, Control of Particulates from Fuel Burning Indirect Heat Exchangers
15 NCAC 2D.0504, Particulates from Wood Burning Indirect Heat Exchangers
15 NCAC 2D.0505, Control of Particulates from Incinerators
15 NCAC 2H.0603, (Permit) Applications

(ii) Other material—none.

(45)—(46) [Reserved]

(47) Revisions to Title 15 of the North Carolina Administrative Code (15 NCAC) which were submitted to EPA on December 17, 1984.

(i) Incorporation by reference.

(A) Letter of December 17, 1984, from the North Carolina Division of Environmental Management and amendments to the following regulations which were adopted by the North Carolina Environmental Management Commission on November 8, 1984:

2D.0501—Compliance with Emission Control Standards
2D.0506—Control of Particulates from Hot Mix Asphalt Plants
2D.0507—Particulates from Chemical Fertilizer Manufacturing Plants
2D.0508—Control of Particulates from Pulp and Paper Mills
2D.0509—Particulates from Mica or Feldspar Processing Plants
2D.0510—Particulates: Sand, Gravel, Crushed Stone Operations
2D.0511—Particulates, SO_2 from Lightweight Aggregate Processes
2D.0512—Particulates from Wood Products Finishing Plants
2D.0513—Control of Particulates from Portland Cement Plants
2D.0514—Control of Particulates from Ferrous Jobbing Foundries
2D.0515—Particulates from Miscellaneous Industrial Processes
2D.0516—Sulfur Dioxide Emissions from Fuel-Burning Installations
2D.0517—Emissions from Plants Producing Sulfuric Acid (Except revision to paragraph 2)
2D.0519—Control of Nitrogen Dioxide Emissions
2D.0520—Control and Prohibition of Open Burning
2D.0521—Control of Visible Emissions
2D.0527—Emissions from Spodumene Ore Roasting (Except revision to paragraph 2)
2D.0530—Prevention of Significant Deterioration
2D.0531—Sources in Nonattainment Areas
2D.0532—Sources Contributing to an Ambient Violation
2D.0901—Definitions (Volatile Organic Compounds)
2D.0903—Recordkeeping, Reporting, Monitoring (Volatile Organic Compounds)
2D.0905—Petition for Alternative Controls
2D.0906—Circumvention
2D.0907—Equipment Installation Compliance Schedules
2D.0908—Equipment Modification Compliance Schedules
2D.0909—Low Solvent Content Coating Compliance Schedules

2D.0910—Alternate Compliance Schedules
2D.0912—General Provisions on Test Methods and Procedures
2D.0913—Determination of Volatile Content of Surface Coating
2D.0914—Determination of VOC Emission Control System Efficiency
2D.0915—Determination of Solvent Metal Cleaning VOC Emissions
2D.0916—Determination of VOC Emissions from Bulk Gasoline Terminals
2D.0918—Can Coating
2D.0919—Coil Coating
2D.0920—Paper Coating
2D.0921—Fabric and Vinyl Coating
2D.0922—Metal Furniture Coating
2D.0923—Surface Coating of Large Appliances
2D.0924—Magnet Wire Coating
2D.0925—Petroleum Liquid Storage In Fixed Roof Tanks
2D.0926—Bulk Gasoline Plants
2D.0927—Bulk Gasoline Terminals
2D.0928—Gasoline Service Stations Stage I
2D.0929—Petroleum Refinery Sources
2D.0930—Solvent Metal Cleaning
2D.0931—Cutback Asphalt
2D.0932—Gasoline Truck Tanks and Vapor Collection Systems
2D.0933—Petroleum Liquid Storage In External Floating Roof Tanks
2D.0934—Coating of Miscellaneous Metal Parts and Products
2D.0935—Factory Surface Coating of Flat Wood Paneling
2D.0936—Graphic Arts
2D.0937—Manufacture of Pneumatic Rubber Tires
2D.0938—Perchloroethylene Dry Cleaning System
2D.0939—Determination of Volatile Organic Compound Emissions
2D.0940—Determination of Leak Tightness and Vapor Leaks
2H.0601—Purpose and Scope (Permits)
2H.0604—Final Action on Permit Applications
2H.0605—Issuance, Revocation and Enforcement of Permits

(ii) Additional material.

(A) Regulation 2D.0609 (Monitoring Condition in Permit) was repealed by the Environmental Management Commission on November 8, 1984.

(48) Revision to the North Carolina Administrative Code (15 NCAC) which was submitted to EPA on February 25, 1986.

(i) Incorporation by reference.

(A) Letter of February 25, 1986, from the North Carolina Division of Environmental Management and the amendment to regulation 2D.0917 (Automobiles and Light-Duty Truck Manufacturing) which was adopted by the North Carolina Environmental Management Commission on February 13, 1986.

(ii) Additional material—none.

(49) Revision to 15 NCAC 2D.0518 which was submitted by the North Carolina Division of Environmental Management on January 24, 1983.

(i) Incorporation by reference.

(A) Letter of January 24, 1983 to EPA from the North Carolina Department of Natural Resources and Community Development, and amendments to North Carolina Administrative Code regulation 2D.0518 (Miscellaneous Volatile Organic Compound Emissions) adopted by the Environmental Management Commission on December 9, 1982, which allow alternative control strategies.

(ii) Additional material—none.

(50) [Reserved]

(51) Revisions to the North Carolina State Implementation Plan were submitted by the State of North Carolina Division of Environmental Management on June 12, 1986.

(i) Incorporation by reference.

(A) A new regulation entitled Control of Conical Incinerators, 15 NCAC 2D.0523, which became effective on January 1, 1985.

(B) A letter dated July 7, 1987, from the State of North Carolina Division of Environmental Management clarifying the adoption and effective dates of 15 NCAC 2D.0523.

(ii) Other material—none.

(52) Minor revisions to Title 15 of the North Carolina Administrative Code (15 NCAC) were submitted to EPA on February 25, 1986.

(i) Incorporation by reference.

(A) Letter of February 25, 1986 from the State of North Carolina to EPA, and Amendments in the following regulations which were adopted by the North Carolina Environmental Management Commission on February 13, 1986:

2D.0501 Compliance with Emission Control Standards
2D.0508 Control of Particulates from Pulp and Paper Mills
2D.0509 Particulates from Mica and Feldspar Processing Plants
2D.0514 Control of Particulates from Ferrous Jobbing Foundries

2D.0535 Malfunctions, Startup and Shutdown
2D.0916 Determination: VOC Emissions from Bulk Gasoline Terminals

(ii) Other material—none.

(53) Revisions to 15 NCAC, regulation 2D.0501 were submitted to EPA on October 14, 1986.

(i) Incorporation by reference.

(A) Letter of October 14, 1986, from the North Carolina Department of Natural Resources and Community Development, and revisions to 15 NCAC, regulation 2D.0501 which were adopted by the Environmental Management Commission on September 11, 1986.

(ii) Additional material—none.

(54) Revisions to the visible emission regulations of Title 15 of the North Carolina Administrative Code (15 NCAC) were submitted February 11, 1987.

(i) Incorporation by reference.

(A) Letter to EPA dated February 11, 1987 and amendments to the following North Carolina Administrative Code regulations:

15 NCAC 2D.0501(c)(8), Compliance with Emission Control Standards;
15 NCAC 2D.0508(b), Control of Emissions from Pulp and Paper Mills; and
15 NCAC 2D.0521 (c), (d), and (f), Control of Visible Emissions, which became effective on August 1, 1987.

(ii) Additional material—none.

(55) A revised regulation limiting emissions from electric utility boilers was submitted on January 24, 1983, and February 21, 1983, and amended by submittals dated December 17, 1985, and June 19, 1987, by the North Carolina Department of Natural Resources and Community Development. Only the following portions of this regulation are approved:

(i) Incorporation by reference.

(A) Only those portions of a new regulation, 15 NCAC 2D.0536, entitled "Emissions from Electric Utility Boilers," which were approved by the Environmental Protection Agency on April 5, 1988.

(ii) Other material—none.

(56) Revisions to miscellaneous regulations of Title 15 of the North Carolina Administrative Code (15 NCAC) were submitted April 14, 1987.

(i) Incorporation by reference.

(A) Amendments to the following regulations (15 NCAC) were adopted by the North Carolina Environmental Management Commission on April 9, 1987:

2D.0103—Copies of Referenced Federal Regulations, paragraph (a)(2).
2D.0501—Compliance with Emission Control Standards, paragraph (c)(4).
2D.0505—Control of Particulates from Incinerators, paragraph (b).
2D.0533—Stack Height, paragraph (a)(7).
2H.0607—Copies of Referenced Documents, (a) introductory text and paragraph (a)(2).

(B) Letter of April 14, 1987, to EPA from the State of North Carolina Department of Natural Resources and Community Development.

(ii) Other material—none.

(57) Revisions to 15 NCAC 2D.0501(c)(4) were submitted by the North Carolina Department of Natural Resources and Community Development on December 15, 1987.

(i) Incorporation by reference.

(A) Letter of December 15, 1987, to the Environmental Protection Agency from the North Carolina Department of Natural Resources and Community Development and revised paragraph (c)(4) of 15 NCAC 2D.0501, adopted by the North Carolina Environmental Management Commission on December 10, 1987.

(ii) Additional material—none.

[37 FR 10884, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1770, see the List of CFR Sections Affected in the Finding Aids section of this volume.

EFFECTIVE DATE NOTE: At 53 FR 21639, June 9, 1988, paragragh (c)(57) was added to § 52.1770, effective August 8, 1988.

§ 52.1771 Classification of regions.

The North Carolina plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Western Mountain Intrastate	I	III	III	III	III
Eastern Mountain intrastate	I	III	III	III	III
Metropolitan Charlotte Interstate	I	II	III	III	I
Northern Piedmont Intrastate	I	III	III	III	III
Eastern Piedmont Intrastate	I	III	III	III	III
Northern Coastal Intrastate	I	III	III	III	III
Southern Coastal Intrastate	II	III	III	III	III
Sandhills Intrastate	II	III	III	III	III

[37 FR 10884, May 31, 1972]

§ 52.1772 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves North Carolina's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) New Source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V of the Emission Offset (Interpretative Rule) published on January 16, 1979 (44 FR 3274) are met.

[45 FR 26043, Apr. 17, 1980]

§ 52.1773 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in North Carolina's plan.

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Western Mountain Intrastate	c	c	b	b	b	b	b
Eastern Mountain Intrastate:							
a. Spruce Pine area[1]	a	f	b	b	b	b	b
b. Rest of AQCR	b	b	b	b	b	b	b
Metropolitan Charlotte Interstate:							
a. Mecklenburg County[1]	c	c	c	c	b	e	d
b. Rest of AQCR	c	c	c	c	b	b	c
Northern Piedmont Intrastate	c	c	b	b	b	b	b
Eastern Piedmont Intrastate	c	c	b	b	b	b	b
Northern Coastal Plain Intrastate	c	c	b	b	b	b	b
Southern Coastal Plain Intrastate	b	c	b	b	b	b	b
Sandhills Intrastate	b	c	b	b	b	b	b

[1] See § 81.334 of this chapter.

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. July, 1975.
d. December 31, 1982.
e. December 31, 1987.
f. 18-month extension granted.

NOTE: Sources subject to plan requirements and attainment dates established under section 110 (a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR Part 52 (1976 edition).

[45 FR 26043, Apr. 17, 1980]

§ 52.1774 [Reserved]

§ 52.1775 Rules and regulations.

Paragraph (g) of regulation 2D.0535 is disapproved because its automatic exemption for excess emissions during startup and shutdown is inconsistent with the Clean Air Act.

[51 FR 32075, Sept. 9, 1986]

§ 52.1776 Extensions.

(a) The administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submittal of North Carolina plan to attain and maintain the secondary ambient standard for particulate matter in the Spruce Pine nonattainment area (40 CFR 81.334).

(b) The Administrator hereby extends until December 31, 1987, the statutory deadline for attainment of the national standards for carbon monoxide in Mecklenburg County.

[45 FR 2033, Jan. 10, 1980, as amended at 45 FR 26043, Apr. 17, 1980]

§ 52.1777 Maintenance of national standards.

(a) The areas listed below which were identified by the State of North Carolina are hereby identified by the Administrator pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Charlotte Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Mecklenburg County.

(2) Greensboro Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Guilford County.

(3) Winston-Salem Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Forsyth County.

[40 FR 18735, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1778 Significant deterioration of air quality.

(a)-(b) [Reserved]

(c) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of North Carolina shall be submitted to the North Carolina Environmental Management Commission, Department of Natural and Economic Resources, Division of Environmental Management, P.O. Box 27687, Raleigh, North Carolina 27611. Attention: Air Quality Section, instead of the EPA Region IV office.

[43 FR 26410, June 19, 1978, as amended at 47 FR 7837, Feb. 23, 1982]

§§ 52.1779—52.1780 [Reserved]

§ 52.1781 Control strategy: Sulfur oxides and particulate matter.

(a) The plan's control strategy for particulate matter as outlined in the three-year variance for the coal-fired units of Duke Power Company and Carolina Power & Light Company from the particulate emission limits of Regulation 15 N.C.A.C. 2D.0503, with submittals on June 18, September 7, October 31, and December 14, 1979, by the North Carolina Department of Natural Resources and Community Development, is disapproved only insofar that it provides an exemption for excess emissions during periods of startup, shutdown, and verified malfunction. (See § 52.1770(c)(22).)

(b) The plan's control strategy for particulate matter as contained in regulation 15 NCAC 2D.0536, which was submitted on January 24 and February 21, 1983, and on December 17, 1985, and became effective on August 1, 1987, is disapproved insofar as it provides annual opacity limits for the seven plants of Duke Power Company and for Plants Roxboro and Cape Fear of Carolina Power and Light Company.

(c) The plan's control strategy for particulate matter as contained in revisions to 15 NCAC 2D.0536 submitted on January 24, 1983, February 21, 1983, and December 17, 1985, is disapproved as it applies to the Carolina Power and Light Asheville, Lee, Sutton and Weatherspoon Plants. These plants will continue to be subect to the particulate limits of 15 NCAC 2D.0503, contained in the origial SIP, submitted to EPA on January 7, 1972, and approved on May 31, 982 at 47 FR 10884.

45 FR 55425, Aug. 20, 1980, as amended at 3 FR 11071, Apr. 5, 1988; 53 FR 22488, June 6, 1988]

Effective Date Note: At 53 FR 22488, une 16, 1988, paragraph (c) was added to 52.1781, effective July 18, 1988.

52.1782 Visibility protection.

(a) The requirements of section 169A f the Clean Air Act are not met beause the plan does not include aprovable procedures for protection of isibility in mandatory Class I Federal reas.

(b) *Long-term strategy.* The provions of § 52.29 are hereby incorporatd into the applicable plan for the tate of North Carolina.

2 FR 45138, Nov. 24, 1987]

Subpart JJ—North Dakota

52.1829 Identification of plan.

(a) Title of plan: "Implementation ian for the Control of Air Pollution r the State of North Dakota."

(b) The plan was officially submitted January 24, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Air quality maintenance area designation submitted June 26, 1974, by the Governor.

(2) Compliance schedules submitted on June 14, 1973, by the Governor.

(3) Provision for public notice and comment on new source reviews and a revised compliance schedule submitted on February 19, 1974, by the Governor.

(4) Clarification concerning the revision of the secondary particulate standard attainment date submitted on November 21, 1974, by the Governor.

(5) Explanation of why sources could not comply by the original attainment date submitted April 23, 1975, by the State Department of Health.

(6) Revisions to the North Dakota Century Code making emission data public information and revising penalties, revised new source performance standards, emission standards for hazardous air pollutants, and prevention of significant air quality deterioration regulations submitted on May 26, 1976, by the Governor.

(7) Supplemental information stating that the complete new source application would be available for public review submitted August 23, 1976 by the State Department of Health.

(8) A revised compliance schedule for the Basin Electric Power Plant at Velva submitted on December 22, 1976, by the Governor.

(9) Requirements for continuous opacity monitoring by 7 sources submitted on May 26, 1977, by the Governor.

(10) Provisions to meet the requirements of Part C, Title I, and section 110 of the Clean Air Act, as amneded in 1977, were submitted on July 17, 1978.

(11) On January 25, 1980, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR Part 58, Subpart C, § 58.20, and Public Notification required under section 127 of the Clean Air Act.

(12) A revision requiring flares to meet 20% opacity and have automatic ignitors or pilots, increasing construction permit fees to $75.00 and estab-

lishing annual permit to operate fees was submitted on May 6, 1982 by the Governor.

(13) [Reserved]

(14) Revisions to the Prevention of Significant Deterioration requirements in Chapter 33-15-15 of the North Dakota regulations were submitted on October 28, 1982 by the Governor, with supplemental information submitted on July 5, 1983, March 8, 1984 and June 20, 1984, by the State Agency.

[37 FR 10885, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1820, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1821 Classification of regions.

The North Dakota plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Fargo-Moorhead Interstate	II	III	III	III	III
North Dakota Intrastate	II	III	III	III	III

[37 FR 10885, May 31, 1972]

§ 52.1822 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the North Dakota plan for the attainment and maintenance of the national standards.

[39 FR 7283, Feb. 25, 1974]

§ 52.1823 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information in North Dakota's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Fargo-Moorhead Interstate	Feb. 1975	Feb. 1975	[a]	[a]	[a]	[a]	[a]
North Dakota Intrastate	do	Dec. 1975	[a]	[a]	[a]	[a]	[a]

a. Air quality levels presently below secondary standards.

[37 FR 10885, May 31, 1972, as amended at 40 FR 59438, Dec. 24, 1975]

§ 52.1824 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of North Dakota.

[39 FR 7283, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§§ 52.1825—52.1826 [Reserved]

§ 52.1827 Maintenance of national standards.

(a) The areas listed below which are identified by the State of North akota are hereby identified by the dministrator pursuant to § 51.110 (h) d (i) of this chapter as having the otential for violation of the specified r quality standards within 10 years. ne identified areas consist of the ter- torial area encompassed by the oundaries of the given jurisdictions described area including the territo- l area of all municipalities (as de- ned in section 302(f) of the Clean Air ct, 42 U.S.C. 1875h(f)) geographically cated within the outermost bound- ies of the area so delimited.

(1) Cass Air Quality Maintenance rea.

(i) Pollutant for which the area is entified: Particulate matter.

(ii) Geographical composition of ea:

Cass County.

(2) McLean-Mercer-Oliver Air Qual- Maintenance Area.

(i) Pollutants for which the area is entified: Particulate matter, sulfur oxide, nitrogen dioxide, and photo- emical oxidants.

(ii) Geographical composition of ea:

McLean County, Mercer County, Oliver County.

[40 FR 23755, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1828 [Reserved]

§ 52.1829 Prevention of significant deterioration of air quality.

(a) The North Dakota plan, as submitted, is approved as meeting the requirements of Part C, Title I, of the Clean Air Act, except that it does not apply to sources proposing to construct on Indian Reservations.

(b) Regulation for preventing of significant deterioration of air quality. The provisions of § 52.21 (b) through (v) are hereby incorporated by reference and made a part of the North Dakota State Implementation Plan and are applicable to proposed major stationary sources or major modifications to be located on Indian Reservations.

[44 FR 63103, Nov. 2, 1979. Correctly designated at 44 FR 75635, Dec. 21, 1979]

§ 52.1830 Compliance schedules.

(a) The compliance schedules for the sources listed below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

NORTH DAKOTA

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
ntana-Dakota Utility	Mandan	23 to 25	June 1, 1973	Immediately	June 1, 1975.
Do	Beulah	23 to 25	do	do	Sept. 30, 1975.
ed Power	Stanton	23 to 25	do	do	Jan. 1, 1975.
in Electric	do	23 to 25	do	do	Dec. 1, 1974.
Do	Velva	23 to 25	Dec. 13, 1976	Dec. 13, 1976	Dec. 31, 1976.
icipal Utility	Valley City	23 to 25	June 1, 1973	Immediately	July 1, 1975.
thern States Power	Minot	23 to 25	do	do	Dec. 31, 1975.
r Tail Power	Jamestown	23 to 25	do	do	July 31, 1975.
Do	Whapeton	23 to 25	do	do	Do.
nkota Power	Center	23 to 25	do	do	Nov. 15, 1974.
Do	Grand Forks	23 to 25	do	do	Jan. 31, 1974.
solidated Coal	Velva	23 to 25	Dec. 21, 1973	do	Apr. 1, 1975.
ky Ind	Dickinson	23 to 25	June 1, 1973	do	Feb. 1, 1975.
rican Colloid	Gascoyne	23 to 25	do	do	July 1, 1973.
rican Crystal, units 1 and 2	Drayton	23 to 25	do	do	Feb. 1, 1975.
e Hospital	Jamestown	23 to 25	do	do	Jan. 15, 1974.
ot State College	Minot	23 to 25	do	do	Jan. 31, 1974.
versity of North Dakota	Grand Forks	23 to 25	do	do	Dec. 30, 1976.
th Dakota State University	Fargo	23 to 25	do	do	Feb. 28, 1974.
ey City, State College	Valley City	23 to 25	do	do	Aug. 31, 1974.
th Dakota State University	Bottineau	23 to 25	do	do	June 30, 1976.
th Dakota State School of cience.	Whapeton	23 to 25	do	do	Sept. 30, 1974.

NORTH DAKOTA—Continued

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
San Haven Hospital:					
Units 1 and 2	San Haven	23 to 25	do	do	Oct. 1, 1974.
Incinerators	do	23 to 25	do	do	Sept. 15, 1975.
North Dakota School for Deaf	Devils Lake	23 to 25	do	do	Apr. 1, 1976.

[40 FR 59438, Dec. 24, 1975, as amended at 42 FR 37551, July 22, 1977; 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.1831 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of § 52.26 and 52.27 are hereby incorporated and made a part of the applicable plan for the State of North Dakota.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of North Dakota.

[50 FR 28553, July 12, 1985; 51 FR 23759, July 1, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart KK—Ohio

§ 52.1870 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Suspended Particulates, Sulfur Dioxide, Carbon Monoxide, Hydrocarbons, Nitrogen Dioxide, and Photochemical Oxidants in the State of Ohio."

(b) The plan was officially submitted on January 31, 1972.

(c) The revisions listed below were submitted on the dates specified.

(1) Request for extensions and a revision of monitoring network was submitted on March 20, 1972, by the Ohio Air Pollution Control Board.

(2) State provisions for making emissions data available to the public was outlined in a letter of May 8, 1972, by the Ohio Department of Health.

(3) On May 9, 1972, the State provided assurance that action is being taken in the Assembly to secure authority for controlling auto emissions.

(4) Amendments to air pollution regulations AP-3-11, 12, 13, 14, and AP-9-04 were forwarded on July 7, 1972, by the Governor.

(5) Revisions to AP-2-01, 02, 04, 05; AP-3-01, 08, 09, 13; AP-9-01, 02, 03 were submitted on August 4, 1972 by the Governor.

(6) New regulations AP-13-01 and 13-02 were submitted on October 12, 1972 by the Governor.

(7) Letter from the Director of the Ohio EPA was submitted on June 6, 1973, indicating that portions of AP-3-11, and AP-3-12 are for informational purposes only.

(8) The Governor of Ohio submitted on July 2, 1973, the "Implementation Plan to Achieve Ambient Air Quality Standard for Photochemical Oxidant in the Cincinnati Air Quality Control Region" and the "Implementation Plan to Achieve Ambient Air Quality Standard for Photochemical Oxidant in the Toledo Air Quality Control Region."

(9) The Governor of Ohio submitted on July 24, 1973, the "Implementation Plan to Achieve Ambient Air Quality Standards for Photochemical Oxidants—Dayton Air Quality Control Region."

(10) On January 25, 1974, Ohio submitted a secondary particulate plan for three AQCR's in Ohio.

(11) On July 16, 1975, Ohio submitted regulations revising the attainment dates for particulate matter, nitrogen oxides, carbon monoxide, hydrocarbons and photochemical oxidants.

(12) The Governor of Ohio submitted on May 30, 1974 and August 10,

1976, revisions to the Ohio Implementation for the control of open burning.

(13) Consent and Abatement Order regarding Columbus and Southern Ohio Electric Company's Picway Units 3 and 4, submitted by Governor on October 17, 1975, supplemented on November 17, 1976 and June 1, 1977.

(14) On July 27, 1979 the State submitted its nonattainment area plan for specific areas designated as nonattainment for ozone and carbon monoxide in the March 3, 1978 and October 5, 1978 FEDERAL REGISTERS (43 FR 8962 and 43 FR 45993). The submittal contained Ohio's Part D nonattainment plans for the following ozone and carbon monoxide urban nonattainment areas: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Steubenville and Toledo. The submittal contained transportation control plans and demonstrations of attainment (for carbon monoxide and/or ozone) for each of the above mentioned urban nontattainment areas. Regulations for the control of volatile organic compound emissions were not included with this submittal but were submitted separately on September 13, 1979.

(15) On September 13, 1979, the State submitted regulations for the control of volatile organic compound and carbon monoxide emissions from stationary sources.

(16) On December 28, 1979, the State amended the attainment demonstration submitted on July 27, 1979 for the Cleveland Urban area. On November 24, 1980 and July 21, 1981, the State submitted additional information on the transportation control plans for the Cleveland Urban area.

(17) On January 8, 1980, the State amended the carbon monoxide attainment demonstration submitted on July 27, 1979 for the Steubenville urban area.

(18) On January 15, 1980, the State amended the attainment demonstrations submitted on July 27, 1979 for the urban areas of Cincinnati, Toledo and Dayton.

(19) On April 7, 1980 the State of Ohio committed to correct the deficiencies presented in the March 10, 1980 Notice of Proposed Rulemaking.

(20) On April 15, 24, 28, May 27, July 23 and August 6, 1980 the State submitted comments on, technical support for, and commitments to correct the deficiencies cited in the March 10, 1980 Notice of Proposed Rulemaking. In addition to this the May 27, 1980 letter also contained a commitment by the State to adopt and submit to USEPA by each subsequent January, reasonable available control technology requirements for sources covered by the control techniques guidelines published by USEPA the preceding January.

(21) On December 28, 1979 the State of Ohio submitted its Part D carbon monoxide and ozone nonattainment area plan for the Youngstown urban area. The submittal contained transportation control plans and demonstrations of attainment (for carbon monoxide and/or ozone). On February 12, 1980 the State amended the ozone attainment demonstration submitted on December 28, 1979.

(22) On June 12, 1980 and August 6, 1980, the State submitted technical support and commitments to correct the deficiencies cited in the May 16, 1980 Notice of Proposed Rulemaking On November 20, 1980 and July 21, 1981, the State submitted additional information on implementor commitments for the Youngstown Urban area.

(23) On May 6, 1979, Ohio submitted revisions to regulations 3745-25-01 through 3745-25-04 (previously codified as AP-11-01 through AP-11-04) containing emergency episode procedures.

(24) On July 25, 1980 the State of Ohio submitted its Part D revision to the New Source Review portion of the State Implementation Plan. On September 25, 1980 the State submitted a response to the August 26, 1980 FEDERAL REGISTER notice of proposed rulemaking. The response contained information which corrects certain deficiencies and commits to correct by a specified date other deficiencies.

(25) The following information was submitted to USEPA regarding the Ohio Sulfur Dioxide Standards

(i) On February 12, 1980 the Director of the Ohio EPA submitted the Ohio Administrative Code (OAC)

Rules 3745-18-01 to 3745-18-94, Sulfur Dioxide Standards adopted on November 14, 1979 effective December 28, 1979.

(ii) Ohio EPA sent technical support for the Ohio Sulfur Dioxide Standards on September 12, 1979, October 23, 1979, May 16, 1980, March 27, 1981, May 5, 1981, July 15, 1981 and September 24, 1981.

(iii) The following regulations were withdrawn by the Governor of Ohio on May 16, 1980; OAC Rules 3745-18-08(H), 3745-18-15(B), 3745-18-53(E), 3745-18-63(K), 3745-18-77(B) and 3745-18-90(C). These rules are applicable to the following plants:

Cairo Chemical Corporation in Allen County, Crystal Tissue Company in Butler County, U.S. Steel Corporation, Lorain-Cuyahoga Works in Lorain County, Bergstrom Paper Company in Montgomery County, Mead Corporation in Ross County and Shell Chemical Company in Washington. County.

(iv) The following regulations were withdrawn by the Governor of Ohio on December 19, 1980 only as it applies to the B.F. Goodrich Company, Avon Lake Chemical Plant in Lorain County; OAC 3745-18-53(A). These regulations are still applicable to other facilities in Lorain County.

(v) The following regulations were withdrawn by the Governor of Ohio on February 13, 1981; OAC Rules 3745-18-49(J) which is applicable to the Ohio Rubber Company in Lake County and 3745-18-80(D) which is applicable to the Union Carbide Corporation in Seneca County.

(vi) The Governor of Ohio submitted a revised OAC Rule 3745-18-80(D) which is applicable to the Union Carbide Corporation in Seneca County on April 30, 1981.

(26) On February 8, 1980, the State of Ohio submitted a revision to provide for modification of the existing air quality surveillance network.

(27) On February 18, and March 13, 1981, the Governor of Ohio submitted Rule 08 of Chapter 3745-17 of the Ohio Administrative Code for Middletown and the operating permits for the fugitive sources located at ARMCO's Middletown Works Plant.

(28) On October 21 and November 21, 1980 the State submitted comments on, technical support for, and commitments to correct the deficiencies cited in the March 10, 1980 Notice of Proposed Rulemaking.

(29) On September 17, 1980 the State of Ohio submitted a vehicle inspection and maintenance (I/M) program developed for the urbanized area of Cleveland and the Ohio portion of the Cincinnati metropolitan area. On December 5, 1980 the State submitted comments on, and commitments for correcting, the deficiencies cited in the November 7, 1980 Supplemental Notice of Proposed Rulemaking.

(30) On February 18, 1981, the State of Ohio committed itself to submit by December 31, 1981, the corrective materials for the Middletown, Ohio total suspended particulate plan.

(31) On March 27, 1981 and March 10, 1982 the State of Ohio submitted revisions to the total suspended particulate (TSP) portion of its State Implementation Plan (SIP). These revisions are in the form of an alternative emissions reduction plan (bubble) for the General Motors (GM) Central Foundry located in Defiance County, Ohio. Incorporated into Ohio's SIP are the emission limitations, interim and final compliance milestones, control equipment requirements and testing procedures specified in the variances and permits submitted for the GM bubble.

(32) On July 27, 1979, the State of Ohio submitted materials to satisfy the general requirements of the Clean Air Act under sections 110(a)(2)(K); 126, 127, and 128. On January 30, 1981, the State of Ohio also submitted an amended substitute Senate Bill 258, which was enacted into law on December 19, 1980, amending Ohio Revised Code 3704.

(33) Revision to plan allowing Standard Oil Company of Ohio Toledo refinery variances from State Regulations 3745-21-09(M) (1) and (2) submitted April 10, 1981 by the State.

(34) Revision to plan allowing Standard Oil Company of Ohio Lima refinery variance from State Regulation 3745-21-09(M)(2) submitted April 10, 1981 by the State.

(35) On August 27, 1981, the State of Ohio submitted a variance for the Pipeline Working Tank at the ARCO

Pipeline Refinery in Summit County, Ohio.

(36) [Reserved]

(37) On April 30, 1981 Ohio submitted revised TSP emission limits for the Owens-Corning Fiberglas plant in Newark, Ohio.

(38) The Governor of Ohio on June 15, 1981 submitted a revision to the ozone portion of the Ohio State Implementation Plan. This revision is for six coating lines located at the Speciality Materials Division of Fasson-Avery located in Lake County, Ohio.

(39) On August 27, 1981, the State of Ohio submitted a variance for the Pipeline Working Tank at the ARCO Pipeline Refinery in Lucas County, Ohio.

(40) On February 12, 1981, the State of Ohio submitted its Lead SIP Plan which contains a discussion of ambient monitoring results, an attainment demonstration and stationary and mobile source controls for lead.

(41) On April 10, 1981, the Governor of Ohio submitted revised requirements for Republic Steel Corporation's Youngstown Sinter Plant.

(42) On February 25, 1980, the State of Ohio submitted the revised Ohio Administrative Code (OAC) Rules 3745-35-01 through 3745-35-04 which set forth requirements for air permits to operate and variances. These rules were adopted on September 28, 1979 and became effective in Ohio on November 7, 1979.

(43) On February 12, 1981, the State of Ohio submitted adopted amended Ohio Administrative Code (OAC) Rules 3745-21-01, 04, 09 and 10, Emission Standards and Technology Requirements for Certain Sources of Volatile Organic Compounds Emissions. The following portions of these rules were withdrawn by the State of Ohio on March 27, 1981; OAC Rules 3745-21-04(C)(19)(a) and 3745-21-09(R)(3)(a). On January 8, 1982, the State of Ohio submitted additional materials pertaining to OAC Rules 3745-21-09 (H), (U) and (X).

(44) On April 16, 1981, the Ohio EPA submitted a variance which would extend for Presto Adhesive Paper Company in Montgomery County, Ohio the deadline for complying with applicable Ohio VOC emission limitations from April 1, 1982 to April 1, 1983 for water-based adhesive paper coatings and to April 1, 1984 for water-based silicone paper coatings.

(45) On Feburary 25, 1980, the State submitted revisions to rules 01 through 06, 08 and 09 of Chapter 15 of the Ohio Administrative Code. These rules establish general provisions for the control of air pollution and were previously codified and approved as AP-2-01 through 06, 08 and 09. Rules 01 through 04, 06, 08 and 09 are approved as revisions to the Ohio SIP and rule 05 is deleted from the Ohio SIP.

(46) On August 26, 1982, the Ohio Environmental Protection Agency submitted a variance which would establish an alternative emission control program (weighted averaging bubble) for eight vinyl coating lines at Uniroyal Plastic Products in Ottawa County, Ohio, and an alternative compliance schedule which will allow Uniroyal Plastic Products additional time to convert to waterborne coatings and inks. The final compliance date is October 1, 1987.

(47) On June 29, 1982, the State submitted an amendment to the definition of air contaminant as contained in section 3704.01(B) of the Ohio Revised Code.

(48) On August 31, 1982, Ohio Environmental Protection Agency submitted a variance which would establish an alternative emission control program (weighted averaging bubble) for five rotogravure printing lines at Packaging Corporation of America (PCA) in Wayne County, Ohio and an alternative compliance schedule which will allow PCA additional time to convert to waterborne coatings and inks. The final compliance date is July 1, 1987.

(49) On September 10, 1982 the Ohio Environmental Protection Agency submitted a revision to its ozone SIP for the Mead Paper Corporation, Chilpaco Mill in Ross County, Ohio. This revision is in the form of three variances for the three flexographic printing lines at Mead Paper and contains revised emission limits and compliance schedules for each of the lines. Technical Support for this revision was also submitted on April 27, 1982.

(50) On October 22, 1982, the Ohio Environmental Protection Agency submitted a revision to its Ozone SIP for the Standard Register Company. The revision request is in the form of a variance for an extended compliance time schedule for a surface coating line and spray booth for painting miscellaneous metal parts. Final compliance is changed from December 31, 1982 to December 31, 1983.

(51) On October 1, 1982, and February 28, 1983 the State of Ohio submitted revisions to Ohio Administrative Code (OAC) Rules 3745-35-03 which set forth requirements for obtaining variances.

(52)—(55) [Reserved]

(56) On January 5, 1983 the Ohio Environmental Protection Agency submitted a revision to its ozone SIP for the U.S. Steel Supply Division, Sharon Plant in Trumbull County, Ohio. Technical support for this revision was also submitted on November 12, 1982.

(57) On January 4, 1982, amended December 23, 1982, the Ohio Environmental Protection Agency (OEPA) submitted a revision to its ozone SIP for the Chrysler Plastic Products Corporation, Sandusky Vinyl Product Division, in Erie County, Ohio. This revision amends the emission limitations and extends the compliance dates for five vinyl coating lines at this facility. Technical support for this revision was also submitted on June 28, 1982.

(58) On July 14, 1982, the State submitted revisions to its State Implementation Plan for TSP and SO_2 for Toledo Edison Company's Bay Shore Station in Lucas County, Ohio.

(59) On March 9, 1983, the Ohio Environmental Protection Agency submitted a variance which would establish an alternative emission control program (bubble) for eight vinyl coating lines at B.F. Goodrich in Washington County, Ohio, and an alternative compliance schedule which will allow B.F. Goodrich additional time to achieve final compliance through conversion to waterborne coatings and inks by December 31, 1985. If the company is unable to achieve compliance by December 1, 1985, through reformulation, the company must install add-on controls no later than December 1, 1987.

(60) The State of Ohio submitted a revised demonstration that showed attainment by December 31, 1982, of the Carbon Monixide (CO) National Ambient Air Quality Standards (NAAQS) for the Cincinnati area (Hamilton County) on May 24, 1982. Supplemental information was submitted on September 23, 1982, November 4, 1982, and March 16, 1983. The May 24, 1982, submittal also requested that the five year extension for meeting the NAAQS requested on July 29, 1979, and granted on October 31, 1980, be rescinded for this area. EPA has rescinded this extension only for the Cincinnati demonstration area for CO.

(61) On January 11, 1983, the Ohio EPA submitted justification and supportive documentation for the two categories of gasoline dispensing facilities and cutback asphalt. On March 2, 1983, Ohio EPA submitted demonstrations of reasonable further progress in the Canton and Youngstown areas. This information was submitted to satisfy the conditions on the approval of the 1979 ozone SIP.

(62) On September 8, 1983, the Ohio Environmental Protection Agency submitted a revision to the total suspended particulate SIP for Corning Glass Works. The revision is in the form of a permit to operate a glass furnace and contains an equivalent visible emission limitation for the furnace.

(63) On January 3, 1984, the Ohio Environmental Protection Agency submitted a revision to the Ohio Administrative Code 3745-15-07, Air Pollution Nuisance Prohibited.

(64) On September 2, 1982, the State of Ohio submitted a revision to the total suspended particulate State Implementation Plan for the B.F. Goodrich Chemical Plant in Avon Lake, Lorain County, Ohio. This revision is being disapproved. (See § 52.1880(g))

(65) On August 3, 1983, May 7, 1984 and June 28, 1984, the Ohio Environmental Protection Agency submitted revisions to the total suspended particulate State Implementation Plan for Chardon Rubber Company, Corning Glass Works, Denman Rubber Manufacturing Company, Packaging Corporation of America, and Springview Center. Each of the revisions are in the form of a permit to operate and

contain equivalent visible emission limitations.

(66) On March 16, 1984, the Ohio Environmental Protection Agency submitted commitments for satisfying the conditions of approval to the ozone [52.1885 (b)(2)] and particulate matter [52.1880 (d)(1)] State Implementation Plans.

(67)—(68) [Reserved]

(69) On September 13, 1983, the Ohio Environmental Protection Agency submitted a variance which would establish an alternative emission control program (bubble) for Volatile Organic Compound emissions from a gasoline and aviation fuel loading rack located at Standard Oil Company in Trumbull County, Ohio.

(i) Incorporation by reference.

(A) An August 26, 1983, Permit and Variance to Operate an Air Contaminant Source Terms and Conditions, Application No. 02 78 06 0355 J001 and 02 78 06 0355 J002, for Niles Terminal Station N. 234, Niles Aviation Gasoline Bulk Terminal.

(70) On April 8, 1982, June 22, 1982, November 8, 1982, May 24, 1985, and November 12, 1986, the Ohio Environmental Protection Agency submitted a revision to the sulfur dioxide SIP for the Ohio Power Muskingum River Power Plant located in Morgan and Washington Counties. USEPA approves an emission limit of 8.6 lbs/MMBTU to protect the primary NAAQS with a compliance date of June 17, 1980. In addition, USEPA approves an emission limit of 7.6 lbs/MMBTU to protect the secondary NAAQS with a compliance date of July 1, 1989.

(i) Incorporation by reference.

(A) Ohio Administrative Code (OAC) rule 3745-18-03(C)(3)(gg)(vi) effective in Ohio December 28, 1979; rule 3745-18-64(B) and rule 3745-18-90(B) effective in Ohio on October 1, 1982.

(B) Director's Final Findings and Orders dated October 18, 1982, before the Ohio Environmental Protection Agency.

(C) Director's Findings and Order dated November 18, 1986, before the Ohio Environmental Protection Agency.

(ii) Additional information.

(A) Technical Support Document for emission limitations including dispersion modeling for the Muskingum River Plant submitted by the State on April 8, 1982.

(B) Muskingum River Plant Supplementary Technical Support Document submitted by the State on June 22, 1982.

(C) Air Monitoring Data submitted by the State on June 22, 1982.

(71) On July 1, 1980, the State of Ohio submitted a revision to its State Implementation Plan amending § 3704.11 of the Ohio Revised Code. This revision expands the authority given to a political subdivision in relation to certain open burning activities. Additional information for the revision was also submitted on September 30, 1980 and January 16, 1981.

(72) On March 16, 1982, the State of Ohio submitted a revision to its State Implementation Plan for TSP for the Southerly Wastewater Treatment Plant in Columbus, Ohio.

(73)—(75) [Reserved]

(76) On April 9, 1986, the State of Ohio submitted a negative declaration for natural gas/gasoline processing plants and manufacturers of high-density polyethylene and polypropylene resins.

(i) Incorporated by reference.

(A) Letter dated April 9, 1986, from Warren W. Tyler, Director, State of Ohio Environmental Protection Agency.

(77) On November 20, 1985, the Ohio Environmental Protection Agency submitted a revision to the State Implementation Plan for Total Suspended Particulates. This revision request is for operating permits for the following two shiploading facilities: The Andersons Grain Division, Toledo Plant and Mid-States Terminals, Incorporated.

(i) Incorporation by reference.

(A) Permit to Operate an Air Contaminant Source for the Andersons Grain Division, Toledo Plant. Date of Issuance: November 18, 1985.

(B) Permit to Operate an Air Contaminant Source for Mid-States Terminals, Incorporated. Date of Issuance: November 18, 1985.

(78)-(79) [Reserved]

(80) On April 9, 1986, the Ohio Environmental Protection Agency submit-

ted a revision to the State Implementation Plan for ozone. The revision consists of the reasonably available control technology (RACT) III volatile organic compound regulations.

(i) Incorporation by reference. Ohio EPA OAC

(A) Rule 3745-21-01, Definitions. Paragraphs (K), (L), (M), and (N), effective May 9, 1986. Ohio EPA OAC

(B) Rule 3745-21-04, Attainment Dates and Compliance Time Schedules. Paragraphs (B)(1), and (C)(36) through (C)(39), effective May 9, 1986. Ohio EPA OAC

(C) Rule 3745-21-09, Control of Emissions of Volatile Organic Compounds from Stationary Sources. Paragraphs (A)(1), (A)(2), (A)(4), (BB), (CC), (DD), (EE), and Appendix A, effective May 9, 1986. Ohio EPA OAC

(D) Rule 3745-21-10, Compliance Test Method and Procedures. Paragraphs (C), (F), (L), (M), (N), (O), and (P), effective May 9, 1986.

[37 FR 10886, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1870, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1871 Classification of regions.

The Ohio plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Greater Metropolitan Cleveland Intrastate	I	I	III	III	I
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate	I	III	III	III	III
Mansfield-Marion Intrastate	II	II	III	III	III
Metropolitan Cincinnati Interstate	I	II	III	III	I
Metropolitan Columbus Intrastate	I	III	III	III	I
Metropolitan Dayton Intrastate	I	II	III	III	I
Metropolitan Toledo Interstate	I	I	III	III	I
Northwest Ohio Intrastate	II	I	III	III	III
Northwest Pennsylvania-Youngstown Interstate	I	II	III	III	III
Parkersburg (West Virginia)-Marietta (Ohio) Interstate	I	II	III	III	III
Sandusky Intrastate	III	III	III	III	III
Steubenville-Weirton-Wheeling Interstate	I	I	III	III	III
Wilmington-Chillicothe-Logan Intrastate	III	III	III	III	III
Zanesville-Cambridge Intrastate	II	IA	III	III	III

[37 FR 10886, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 45 FR 72146, Oct. 31, 1980]

§ 52.1872 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Ohio's plan for attainment and maintenance of the secondary standards for particulate matter in the Greater Metropolitan Cleveland Intrastate and in the Ohio portion of the Steubenville-Weirton-Wheeling and Northwest Pennsylvania-Youngstown Interstate Regions.

[37 FR 10886, May 31, 1972, as amended at 38 FR 7328, Mar. 20, 1973]

§ 52.1873 Approval status.

With the exceptions set forth in this subpart the Administrator approves Ohio's plan for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all the requirements of Part D, Title 1 of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by January 1, 1981 for the sources covered by CTGs between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 72146, Oct. 31, 1980, as amended at 47 FR 28099, June 29, 1982]

§ 52.1874 [Reserved]

§ 52.1875 Attainment dates for national standards.

(a) The following table presents the latest date by which the national standards are to be attained. These dates reflect the information presented in Ohio's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Greater Metropolitan Cleveland Interstate (AQCR 174):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	e	c
b. Remainder of AQCR	b	b	b	b	b	b	b
Huntington (West Virginia)—Ashland (Kentucky)—Portsmouth-Ironton (Ohio) Intrastate (AQCR 103):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Mansfield-Marion-Intrastate (AQCR 175):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Metropolitan Cincinnati Interstate (AQCR 079):							
a. Primary/Secondary Nonattainment Areas	j	h	f	f	b	d	i
b. Remainder of AQCR	b	b	b	b	b	b	b
Metropolitan Columbus Intrastate (AQCR 176):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	d	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Metropolitan Dayton Intrastate (AQCR 173):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	d	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Metropolitan Toledo Interstate (AQCR 124):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	d	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Northwest Ohio Interstate (AQCR 177):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Northwest Pennsylvania Youngstown Interstate (AQCR 178):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Parkersburg (West Virginia)-Marietta (Ohio) Interstate:							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	b	b
b. Remainder of AQCR	b	b	b	b	b	b	b
Sandusky Intrastate (AQCR 180):							
a. Primary/Secondary Nonattainment Areas	h	h	f	f	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Steubenville-Wierton-Wheeling Interstate (AQCR 181):							
a. Primary/Secondary Nonattainment Areas	h	h	*f*	*f*	b	d	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Wilmington-Chillicothe-Logan Intrastate (AQCR 182):							
a. Primary/Secondary Nonattainment Areas	h	h	b	b	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b
Zanesville-Cambridge Intrastate (AQCR 183):							
a. Primary/Secondary Nonattainment Areas	h	h	*f*	*f*	b	b	d
b. Remainder of AQCR	b	b	b	b	b	b	b

NOTE 1: Sources subject to the plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1875 published July 1, 1979.

NOTE 2: For actual nonattainment designations refer to 40 CFR Part 81.

NOTE 3: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Air quality levels presently below primary standards or is unclassifiable.

b. Air quality levels presently below secondary standards or is unclassifiable.

c. For Stark, and Portage Counties attainment is to be achieved by December 31, 1982. For the remaining counties attainment is to be achieved by December 31, 1987.

d. December 31, 1982.

e. For Cuyahoga County the attainment date is to be achieved by December 31, 1987.

f. August 27, 1979, except for the companies listed in (1) which are subject to an attainment date of June 17, 1980, the Ashland Oil Company which is subject to an attainment date of September 14, 1982, the companies in Summit County listed in (2) which are subject to an attainment date of January 4, 1983, PPG Industries, Inc. (boilers only) in Summit County, Ohio which is subject to an attainment date of August 25, 1983, the utilities listed in (3) which are subject to an attainment date of June 19, 1983, and the Portsmouth Gaseous Diffusion Plant in Pike County which is subject to an attainment date of November 5, 1984, and the Ohio Power Company Gavin plant in Gallia County which is subject to an attainment date of August 25, 1985.

g. Attainment date will be specified in the future.

h. April 15, 1977.

i. December 31, 1987.

j. For the primary nonattainment area of Middletown, Ohio, located in Butler County, Ohio, attainment of the primary standard is to be achieved by December 31, 1982. For all other nonattainment areas within this AQCR the previously specified attainment date of April 15, 1977 is still applicable.

(1) Youngstown Sheet & Tube Co.; PPG Industries, Inc.; Wheeling-Pittsburgh Steel Corp.; Pittsburgh-Canfield Corporation; The Timken Company; The Sun Oil Co.; Sheller-Globe Corp.; The B.F. Goodrich Company; Phillips Petroleum Co.; Shell Oil Co.; Federal Paper Board Co.; The Firestone Tire & Rubber Co.; Republic Steel Corp.; Chase Bag Co.; White-Westinghouse Corp.; U.S. Steel Corp.; Interlake, Inc.; Austin Power Co.; Diamond Crystal Salt Co.; The Goodyear Tire & Rubber Co.; The Gulf Oil Co.; The Standard Oil Co.; Champion International Corp.; Koppers Co., Inc.; General Motors Corp.; E.I. duPont de Nemours and Co.; Coulton Chemical Corp.; Allied Chemical Corp.; Specialty Chemicals Division; The Hoover Co.; Aluminum Co. of America; Ohio Greenhouse Asso.; Armco Steel Corp.; Buckeye Power, Inc.; Cincinnati Gas and Electric; Cleveland Electric Illuminating Co.; Columbus and Southern Ohio Electric; Dayton Power and Light Co.; Duquesne Light Co.; Ohio Edison Co.; Ohio Electric Co.; Pennsylvania Power Co.; Toledo Edison Co.; Ohio Edison Co.; RCA Rubber Co.

(2) In Summit County: Diamond Crystal Salt; Firestone Tire & Rubber Co.; General Tire & Rubber; B.F. Goodrich Co.; Goodyear Aerospace Corp.; Goodyear Tire & Rubber Co.; Chrysler Corp.; PPG Industries Inc.; Seiberling Tire & Rubber; Terex Division of General Motors Corp.; Midwest Rubber Reclaiming; Kittinger Supply Co.

[46 FR 31884, June 18, 1981, as amended at 46 FR 43423, Aug. 28, 1981; 47 FR 32123, July 26, 1982; 49 FR 6726, Feb. 23, 1984]

§ 52.1876 [Reserved]

§ 52.1877 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of Subpart G of this chapter are not met because the Ohio plan does not provide for the attainment and maintenance of the national standard for photochemical oxidants (hydrocarbons) in the Metropolitan Cincinnati interstate region by May 31, 1975.

[38 FR 30974, Nov. 8, 1973, as amended at 39 FR 13542, Apr. 15, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.1878 Inspection and maintenance program.

(a) Definitions:

(1) "Inspection and maintenance program" means a program to reduce emissions from in-use vehicles through identifying vehicles that need emission control related maintenance and requiring that such maintenance be performed.

(2) All other terms used in this section that are defined in 40 CFR Part 51, Subpart G are used herein with the meanings so defined.

(b) This section is applicable in Hamilton County, Ohio (including the City of Cincinnati).

(c) The County of Hamilton and the City of Cincinnati shall establish an inspection and maintenance program applicable to all light-duty motor vehicles owned and operated within their respective geographic jurisdictions on streets, roads, and highways over which they have ownership or control.

(d) Not later than April 1, 1974, the County of Hamilton and the City of Cincinnati shall submit to the Administrator, for his approval, legally adopted regulations establishing the inspection/maintenance program required by paragraph (c) of this section. The regulations shall include:

(1) (i) Provisions requiring inspection of all light-duty motor vehicles owned and operated within their respective geographic jurisdictions on streets, roads, and highways over which they have ownership and control (jointly or individually) at periodic intervals no more than 1 year apart by means of an idle test.

(ii) The State may exempt any class or category of vehicles that the State finds are rarely used on public streets and highways (such as classic or antique vehicles).

(2) Provisions for inspection failure criteria consistent with an initial failure rate of at least 30 percent of the vehicles tested before maintenance.

(3) Provisions ensuring that failed vehicles receive within 2 weeks the maintenance necessary to achieve compliance with the inspection standards. These shall, at a minimum, impose sanctions against individual owners and repair facilities, require retest of failed vehicles following maintenance, establish a certification program to ensure that repair facilities performing the required maintenance have the necessary equipment, parts, and knowledgeable operators to perform the tests satisfactorily, and provide for such other measures as necessary or appropriate.

(4) Provisions prohibiting vehicles from being intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them to no longer comply with the inspection standards. These might include authorization of spot checks of idle adjustments and/or requiring a suitable type of physical tagging of vehicles. These provisions shall include appropriate penalties for violation.

(5) Designation of an agency or agencies responsible for conducting, overseeing, enforcing the inspection and maintenance program. Private parties may be designated to conduct parts of the program to certify compliance.

(6) Provisions ensuring that, with regard to the first inspection, the inspection and maintenance necessary to achieve compliance with the applicable emission standards referred to in paragraph (d)(2) of this section be completed by May 31, 1975, for at least five-twelfths (5/12) of the vehicles subject to the inspection system.

(e) After December 31, 1975, no program in the County of Hamilton, the City of Cincinnati, the State of Ohio shall allow the registration of title, or allow the operation on streets, roads, or highways under its control of any light-duty, spark-ignition-powered motor vehicle subject to the inspection program(s) established pursuant to this section that does not comply with the applicable standards and procedures, as defined in paragraph (d)(2) of this section. This shall not apply to the initial registration of new vehicles.

(f) After December 31, 1975, no person shall operate or allow the operation of a light-duty motor vehicle subject to the inspection program(s) established pursuant to this section that does not comply with the applicable standards and procedures, as defined in paragraph (d)(2) of this section. This shall not apply to the initial registration of new vehicles.

(g) No later than February 1, 1974, the County of Hamilton and the City of Cincinnati shall submit to the Administrator, for his approval, a detailed compliance schedule showing the steps they will take to establish, operate, and enforce the inspection/maintenance program required by paragraph (c) of this section including:

(1) A description of the legal authority for establishing and enforcing the inspection/maintenance program, including the text of proposed or adopted legislation and regulations.

(2) Specific dates (day, month, and year) by which various steps to implement the inspection/maintenance system will be completed, such steps to include, at a minimum, the following: Submitting final plans and specifications for the system to the Administrator for his approval, ordering necessary equipment, commencement of onsite construction and/or installation, completion of onsite construction and/or installation and system operation (this last date to be no later than January 1, 1975).

(3) An identification of the sources and amounts of funds necessary to implement the system, together with written assurances from the chief executive officers of the city and county that they will seek any necessary funding from the appropriate legislative bodies.

(4) Other necessary provisions to carry out the program.

(h) Part D—Conditional Approval—The Ohio vehicle inspection and maintenance program for the urbanized area of Cleveland and the Ohio portion of the Cincinnati metropolitan area is approved provided that the following conditions are met by January 8, 1982:

(1) An identification of the staff and financial resources necessary to carry out and enforce the vehicle inspection and maintenance (I/M) program and a more specific commitment to obtain those resources.

(2) Detailed schedule which contains dates for all the milestones specified in July 17, 1978 I/M policy memorandum.

(3) Detailed programmatic information relating to the specific geographic coverage of the program, enforcement mechanisms and procedures to be used, those vehicle categories to be included in the inspection program, and other factors which aid in determining the effectiveness of an I/M program.

[38 FR 30974, Nov. 8, 1973, as amended at 46 FR 31885, June 18, 1981; 46 FR 55108, Nov. 6, 1981; 51 FR 40677, Nov. 7, 1986]

§ 52.1879 Review of new sources and modifications.

(a)-(b) [Reserved]

(c) The requirements of § 51.161 of this chapter are not met because the State failed to submit procedures providing for public comment on review of new or modified stationary sources.

(d) Regulation providing for public comment. (1) For purposes of this paragraph, "Director" shall mean the "Director of the Ohio Environmental Protection Agency".

(2) Prior to approval or disapproval of the construction or modification of a stationary source, the Director shall:

(i) Make a preliminary determination whether construction or modification of the stationary source should be approved, approved with conditions or disapproved;

(ii) Make available in at least one location in the region in which the proposed stationary source would be constructed or modified, a copy of all materials submitted by the owner or operator, a copy of the Director's preliminary determination, and a copy or summary of other materials, if any, considered by the Director in making his preliminary determination; and

(iii) Notify the public, by prominent advertisement in a newspaper of general circulation in the region in which the proposed stationary source would be constructed or modified, of the opportunity for public comment on the information submitted by the owner or operator and the Director's preliminary determination on the approvability of the new or modified stationary source.

(3) A copy of the notice required pursuant to this paragraph shall be sent to the Administrator through the appropriate regional office and to all other State and local air pollution control agencies having jurisdiction within the region where the stationary source will be constructed or modified.

(4) Public comments submitted in writing within 30 days of the date such information is made available shall be considered by the Director in making his final decision on the application.

(e) Part D—Conditional Approval—The Ohio New Source Review State Implementation Plan revision for designated nonattainment areas is approved provided that:

The State submits by October 1, 1981, revised regulations which have completed State rulemaking procedures and which refine the criteria used by the Director to issue new source permits under section 173 of the Clean Air Act, and (2) each permit issued by the State satisfies the requirements of sections 173 and 172(b)(11) of the Act.

[39 FR 13542, Apr. 15, 1974, as amended at 45 FR 72122, Oct. 31, 1980; 45 FR 82927, Dec. 17, 1980; 51 FR 40677, Nov. 7, 1986]

§ 52.1880 Control strategy: Particulate matter.

(a) The requirements of Subpart G of this chapter are not met because the Ohio plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Greater Metropolitan Cleveland Intrastate Region and the Ohio portions of the Northwest Pennsylvania-Youngstown and the Steubenville-Weirton-Wheeling Interstate Regions.

(b) In Pickaway County, Columbus and Southern Ohio Electric Company, or any subsequent owner or operator of the Picway Generating Station, shall not operate simultaneously Units 3 and 4 (boilers 7 and 8) at any time. These units will terminate operation no later than October 1, 1980.

(c) Ohio Regulation EP-12 (open burning) is disapproved insofar as EP-12-03(D)(1) and EP-12-04(D)(1) allow open burning of hazardous or toxic materials.

(d) Part D—Conditional Approval—The following portions of the Ohio Plan are approved provided that the following conditions are satisfied:

(1) For the Middletown, Ohio primary nonattainment area, Rule 08 of Chapter 3745-17 of the Ohio Administrative Code provided the State submits by December 31, 1981 the individual enforceable control programs required by Rule 08 for each of the fugitive emission sources, located in the primary nonattainment area.

(2) Extension of Condition—USEPA approves the date of December 31, 1984 for satisfying the condition of approval to the particulate matter State Implementation Plan in (d)(1).

(e)—(f) [Reserved]

(g) The B.F. Goodrich Chemical Plant State Implementation Plan revision is being disapproved because it is not supported by an adequate attainment demonstration and therefore does not meet the requirements of § 51.13(e).

[39 FR 13542, Apr. 15, 1974, as amended at 43 FR 4259, Feb. 1, 1978; 43 FR 4611, Feb. 3, 1978; 43 FR 16736, Apr. 20, 1978; 46 FR 19472, Mar. 31, 1981; 46 FR 43423, Aug. 28, 1981; 49 FR 48544, Dec. 13, 1984; 50 FR 5250, Feb. 7, 1985; 51 FR 40676, Nov. 7, 1986]

§ 52.1881 Control strategy: Sulfur oxides (sulfur dioxide).

(a) USEPA is approving the portions of the Ohio sulfur dioxide control plan listed in paragraphs (a) (1), (2), (3) and (4) of this section; disapproving the portions listed in paragraphs (a) (5) and (7) of this section; and is neither approving nor disapproving the emission limitations listed in paragraphs (a)(8) and the emission measurement methods contained in (a) (6) and (9) of this section pending further review. The disapproved portions of the Ohio plan do not meet the requirements of

Subpart G of this chapter in that they do not provide for attainment and maintenance of the national standards for sulfur oxides (sulfur dioxide). (Where USEPA has approved the States's sulfur dioxide plan, those regulations supersede the federal sulfur dioxide plan contained in paragraph (b) of this section and § 52.1882.)

(1) Approval—USEPA approves the following OAC Rule: 3745-18-01 Definitions, 3745-18-02 Ambient Air Quality Standards-Sulfur Dioxide, 3745-18-05 Ambient and Meteorological Monitoring Requirements, 3745-18-06 General Emission Limit Provisions.

(2) Approval—USEPA approves the Ohio Rules 3745-18-03 Attainment Dates and Compliance Time Schedules except for those provisions listed in § 52.1881(a)(5).

(3) Approval-USEPA approves the Ohio Rules 3745-18-04 Emission Measurement Methods except for those provisions listed in § 52.1881(a)(6).

(4) Approval—USEPA approves the sulfur dioxide emission limits for the following counties:

Adams County (except Dayton Power & Light—Stuart), Allen County (except Cairo Chemical), Ashland County, Ashtabula County, Athens County, Auglaize County, Belmont County, Brown County, Carroll County, Champaign County, Clark County, Clermont County, (except Cincinnati Gas & Electric—Beckjord), Clinton County, Columbiana County, Coshocton County (except Columbus & Southern Ohio Electric—Conesville), Crawford County, Darke County, Defiance County, Delaware County, Erie County, Fairfield County, Fayette County, Fulton County, Gallia County, (except Ohio Valley Electric Company—Kyger Creek and Ohio Power—Gavin), Geauga County, Greene County, Guernsey County, Hamilton County, Hancock County, Hardin County, Harrison County, Henry County, Highland County, Hocking County, Holmes County, Huron County, Jackson County, Jefferson County, Knox County, Lake County (except Ohio Rubber, Cleveland Electric Illuminating Company—Eastlake, and Painesville Municipal Boiler #5), Lawrence County (except Allied Chemical—South Point), Licking County, Logan County, Lorain County (except Ohio Edison—Edgewater, Cleveland Electric Illuminating—Avon Lake, U.S. Steel—Lorain, and B.F. Goodrich), Lucas County (except Gulf Oil Company, Coulton Chemical Company, Phillips Chemical Company and Sun Oil Company), Madison County, Marion County, Medina County, Meigs County, Mercer County, Miami County, Monroe County, Morgan County, Montgomery County (except Bergstrom Paper and Miami Paper), and Bergstrom Paper), Morrow County, Muskingum County, Noble County, Ottawa County, Paulding County, Perry County, Pickaway County, Pike County (except Portsmouth Gaseous Diffusion Plant), Portage County, Preble County, Putnam County, Richland County, Ross County (except Mead Corporation), Sandusky County (except Martin Marietta Chemicals), Scioto County, Seneca County, Shelby County, Trumbull County, Tuscarawas County, Union County, Van Wert County, Vinton County, Warren County, Washington County (except Shell Chemical), Wayne County, Williams County, Wood County (except Libbey-Owens-Ford Plants Nos. 4 and 8 and No. 6), and Wyandot County.

(5) Disapproval—USEPA disapproves the Ohio Rule 3745-18-03(A), Attainment Dates and also disapproves Ohio Rule 3745-18-03(C)(3) Compliance Time Schedules for all sources electing to comply with the regulations by utilizing complying fuels.

(6) No Action—USEPA is neither approving nor disapproving the following Ohio Rule pending further review: 3745-18-04(D)(2), 3745-18-04(D)(3), 3745-18-04(E)(2), 3745-18-04(E)(3) and, 3745-18-04(E)(4) Emission Measurement Methods.

(7) Disapproval—USEPA disapproves Ohio Rule 3745-18-83, Emission Limitations for Summit County.

(8) No Action—USEPA is neither approving nor disapproving the emission limitations for the following counties on sources pending further review:

Adams County (Dayton Power & Light—Stuart), Allen County (Cairo Chemical), Butler County, Clermont County (Cincinnati Gas & Electric—Beckjord), Coshocton County (Columbus & Southern Ohio Electric—Conesville), Cuyahoga County, Franklin County, Gallia County (Ohio Valley Electric Company—Kyger Creek, and Ohio Power—Gavin), Lake County (Ohio Rubber, Cleveland Electric Illuminating Company—Eastlake, and Painesville Municipal—Boiler #5), Lawrence County (Allied Chemical—South Point), Lorain County (Ohio Edison—Edgewater Plant, Cleveland Electric Illuminating Avon Lake, U.S. Steel—Lorain, and B.F. Goodrich) Lucas County (Gulf Oil Company, Coulton Chemical Company, Phillips Chemical Company and Sun Oil Company), Mahoning County, Montgomery County (Bergstrom Paper and Miami Paper), Pike County (Portsmouth Gaseous

Diffusion Plant), Stark County, Washington County (Shell Chemical Company), and Wood County (Libbey-Owens-Ford Plants Nos. 4 and 8 and No. 6).

(9) No Action—USEPA takes no action on the 30-day averaging provisions contained in the Toledo Edison Company's Bay Shore Station State Implementation Plan revision until a general review of 30-day averaging is complete.

(b) Regulations for the control of sulfur dioxide in the State of Ohio.

(1) *Definitions.* All terms used in this paragraph but not specifically defined below shall have the meaning given them in the Clean Air Act or Parts 51, 52, or 60 of this chapter.

(i) "By-product coke oven gas" means the gas produced during the production of metallurgical coke in slot-type, by-product coke batteries.

(ii) "Flue gas desulfurization" means any pollution control process which treats stationary source combustion flue gas to remove sulfur oxides.

(iii) "Fossil fuel" means natural gas, refinery fuel gas, coke oven gas, petroleum, coal and any form of solid, liquid, or gaseous fuel derived from such materials.

(iv) "Fossil fuel-fired steam generating unit" means a furnace or boiler used in the process of burning fossil fuel for the purpose of producing steam by heat transfer.

(v) "Heat input" means the total gross calorific value (where gross calorific value is measured by ASTM Method D2015-66, D240-64, or D1826-64) of all fossil and non-fossil fuels burned. Where two or more fossil fuel-fired steam generating units are vented to the same stack the heat input shall be the aggregate of all units vented to the stack.

(vi) "Owner or operator" means any person who owns, leases, operates, controls, or supervises a facility, building, structure, or installation which directly or indirectly results or may result in emissions of any air pollutant for which a national standard is in effect.

(vii) "Primary zinc smelter" means any installation engaged in the production, or any intermediate process in the production, of zinc or zinc oxide from the zinc sulfide ore concentrates through the use of pyrometallurgical techniques.

(viii) "Process" means any source operation including any equipment, devices, or contrivances and all appurtenances thereto, for changing any material whatever or for storage or handling of any materials, the use of which may cause the discharge of an air contaminant into the open air, but not including that equipment defined as fossil fuel fired steam generating units in these regulations. Duplicate or similar parallel operations within a structure, building, or shop shall be considered as a single process for purposes of this regulation.

(ix) "Process weight" means the total weight of all materials and solid fuels introduced into any specific process. Liquid and gaseous fuels and combustion air will not be considered as part of the process weight unless they become part of the product. For a cyclical or batch operation, the process weight per hour will be derived by dividing the total process weight by the number of hours from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle. For a continuous operation, the process weight per hour will be derived by dividing the process weight for the number of hours in a given period of time by the number of hours in that period. For fluid catalytic cracking units, process weight shall mean the total weight of material introduced as fresh feed to the cracking unit. For sulfuric acid production units, the nitrogen in the air feed shall not be included in the calculation of process weight.

(x) "Run" means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice as determined by the Administrator.

(xi) "Source operation" means the last operation preceding the emission of an air contaminant, which operation (*a*) results in the separation of the air contaminant from process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuel; and (*b*) is not primarily an air pollution abatement operation.

(xii) "Stack" means any chimney, flue, vent, roof monitor, conduit or duct arranged to vent emissions to the ambient air.

(xiii) "Sulfur recovery plant" means any plant that recovers elemental sulfur from any gas stream.

(xiv) "Sulfuric acid production unit" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, organic sulfides and mercaptans, or acid sludge.

(xv) "Total rated capacity" means the sum of the rated capacities of all fuel-burning equipment connected to a common stack. The rated capacity shall be the maximum guaranteed by the equipment manufacturer or the maximum normally achieved during use as determined by the Administrator, whichever is greater.

(2) *Test methods and procedures.* Unless specified below, the test methods and procedures used for determining compliance with the applicable paragraphs of § 52.1881(b) shall be those prescribed in Part 60 of this chapter. Compliance tests shall be conducted under such conditions as the Administrator shall specify based on representative performance of the affected facility. Notification and recordkeeping procedures shall be those prescribed in § 60.7 of this chapter. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. A compliance test shall consist of at least three runs.

(i) The test methods and procedures used for determining compliance for any sulfur recovery plant subject to applicable paragraph, of § 52.1881(b) shall be those prescribed in § 60.46 of this chapter with the exception that the maximum amount of sulfur dioxide sampled by Method 6 shall not exceed 50 percent of the stoichiometric amount of hydrogen peroxide absorbent.

(ii) The test methods and procedures used for determining compliance for any sulfuric acid production unit, or any primary zinc smelter subject to the applicable paragraphs of § 52.1881(b) shall be those prescribed in § 60.85 of this chapter.

(iii) The test methods and procedure used to determine the compliance of any stack venting any fossil fuel-fired steam generating units subject to the applicable paragraphs of § 52.1881(b) shall be those prescribed in § 60.46 of this chapter.

(3) *Severability.* If any provision of these regulations or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or application of any other part of these regulations which can be given effect without the invalid provisions or application, and to this end the provisions of these regulations and the various applications thereof are declared to be severable.

(4) *Submission of information.* The submission of any information required under § 52.1882 shall be made to the Director, Enforcement Division, U.S. Environmental Protection Agency, Region V, 230 South Dearborn, Chicago, Illinois, 60604, Attention Air Compliance Section.

(5) For purposes of this regulation, stack and boiler identification numbers used in this paragraph were derived from correspondence submitted to the U.S. EPA by the affected owners or operators, and may be found in the record supporting this rulemaking.

(6) This paragraph contains no applicable provisions in the following counties of Ohio: Ashland, Brown, Carroll, Champaign, Clinton, Darke, Defiance, Fayette, Fulton, Geauga, Guernsey, Hardin, Harrison, Highland, Hocking, Holmes, Jackson, Knox, Logan, Madison, Monroe, Morrow, Noble, Perry, Portage, Preble, Putnam, Shelby, Union, Van Wert, Warren, Williams, and Wyandot, nor does it apply to facilities equal to or less than 10 million BTU per hour total aggregate rated capacity of all units at a facility.

(7)-(10) [Reserved]

(11) In Adams County: (i) The Dayton Power and Light Company or any subsequent owner or operator of the Stuart Power Plant in Adams County, Ohio shall not cause or permit the emission of sulfur dioxide

from any stack at the Stuart Plant in excess of 3.16 pounds of sulfur dioxide per million BTU actual heat input.

(ii) In lieu of meeting paragraph (b)(11)(i) of this section, the Dayton Power and Light Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy the following equation:

(A) $0.0791\,(EL_1+EL_2+EL_3+EL_4)\,3<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation, each stack is identified as follows:

Stack No.	Boiler identification
1	1
2	2
3	3
4	4

(12) In Allen County: (i) The Ford Motor Company or any subsequent owner or operator of the Ford Motor Company facilities at Allen County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 3.40 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The present or any subsequent owner or operator of the Lima State Hospital at Allen County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 5.39 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The Vistron Corporation or any subsequent owner or operator of the Vistron Corporation facilities at Allen County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 1.27 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The Standard Oil Company or any subsequent owner or operator of the Standard Oil Company facilities at Allen County, Ohio shall not cause or permit the emission of sulfur dioxide in excess of the rates specified below:

(A) 0.92 pounds of sulfur dioxide per 1000 pounds of total feed at the stack common to the Fluid Catalytic Cracker and the Carbon Monoxide Boiler. The total feed is the charging stock to the catalytic cracking unit.

(B) 1.00 pounds of sulfur dioxide per million BTU actual heat input at the following:

(*1*) ISO Stabilizer and Split Heaters (OEPA B002).

(*2*) Crude II Heater (OEPA B004).

(*3*) Detailer (OEPA B005).

(*4*) Crude I Heater (OEPA E010).

(*5*) Coke Furnace (OEPA B011).

(*6*) Vac I Heater (OEPA B012).

(*7*) MEK Dewaxing Sec Heater (OEPA B013).

(*8*) Furfural Ert Sec Heater (OEPA B014).

(*9*) BH Boilers (OEPA B020).

(C) 100 pounds of sulfur dioxide per 1000 pounds of sulfur processed at the Claus Unit.

(D) 11.00 pounds of sulfur dioxide per ton of production at the Trolumen unit.

(E) 0.15 pound of sulfur dioxide per million BTU for all other boilers and process heaters.

(v) The Clark Equipment Co. or any subsequent owner or operator of the Clark Equipment Co. facilities at Allen County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 2.54 pounds of sulfur dioxide per million BTU actual heat input.

(A) 100 pounds of sulfur dioxide per 1000 pounds of sulfur processed at the Claus unit.

(B) 0.30 pounds of sulfur dioxide per 1000 pounds of petroleum products at the Fluid Catalytic Cracker/Carbon Monoxide Boiler.

(C) 11.00 pounds of sulfur dioxide per ton of production at the Trolumen unit.

(D) 0.71 pounds of sulfur dioxide per million BTU actual heat input at the Iso Stabilizer and Split Heaters—B002.

(E) 0.21 pounds of sulfur dioxide per million BTU actual heat input at the Vac I Heater—B012.

(F) 0.13 pounds of sulfur dioxide per million BTU actual heat input from all remaining process heaters and fossil fuel-fired steam generators.

(13) In Ashtabula County: (i) The Cleveland Electric Illumination Company or any subsequent owner or oper-

ator of the Ashtabula Power Plant in Ashtabula County, Ohio shall not cause or permit the emission of sulfur dioxide from any of the stacks 1, 2, and 3 at the Ashtabula Plant in excess of 2.40 pounds of sulfur dioxide per million BTU actual heat input. Emissions of sulfur dioxide from stack 4 at the Ashtabula Plant shall not exceed 9.10 pounds of sulfur dioxide per million BTU actual heat input. Emissions of sulfur dioxide from stack 5 at the Ashtabula plant shall not exceed 8.20 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The RMI Corporation, or any subsequent owner or operator of the RMI Corporation metal reduction plant in Ashtabula County, Ohio shall not cause or permit emissions of sulfur dioxide in excess of 4.80 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The RMI Corporation, or any subsequent owner or operator of the RMI Corporation sodium plant at Ashtabula County, Ohio shall not cause or permit the emissions of sulfur dioxide in excess of 2.70 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The General Tire and Rubber Company, or any subsequent owner or operator of the General Tire and Rubber Company Plant at Ashtabula County, Ohio shall not cause or permit the emissions of sulfur dioxide in excess of 1.30 pounds of sulfur dioxide per million BTU actual heat input.

(v) The New Jersey Zinc Company or any subsequent owner or operator of New Jersey Zinc Company Plant at Ashtabula County, Ohio shall not cause or permit the emission of sulfur dioxide in excess of 1.50 pounds of sulfur dioxide per million BTU actual heat input at any oil burning unit.

(14) In Athens County: (i) No owner or operator of any fossil fuel-fired steam generating unit, unless otherwise specified below, shall cause or permit the emission of sulfur dioxide from any stack in excess of 7.50 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The Columbus and Southern Ohio Power Company or any subsequent owner or operator of the Poston Power Plant in Athens County, Ohio shall not cause or permit the emission of sulfur dioxide from stacks 1 and 2 at the Poston Plant in excess of 3.72 pounds of sulfur dioxide per million BTU actual heat input. Stack number 3 is subject to New Source Performance Standards and is limited to 1.2 pounds of sulfur dioxide per million BTU of actual heat input.

(iii) In lieu of meeting paragraph (b)(14)(ii) of this section, the Columbus and Southern Ohio Power Company may elect in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all of the following equations:

$$(A)\ 0.1932\ EL_1 + 0.0757\ EL_2 < 1$$
$$(B)\ 0.1369\ EL_1 + 0.1276\ EL_2 < 1$$
$$(C)\ 0.1230\ EL_1 + 0.1406\ EL_2 < 1$$

where EL_i is the emission limitation (in pounds of sulfur dioxide per million BTU of actual heat input) per stack i, and i is the stack number. For purposes of this regulation, each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2
2	3, 4
3	5, 6

(15) In Auglaize County, the Goodyear Tire and Rubber Company, or any subsequent owner or operator of the Goodyear Tire and Rubber Company facilities in Auglaize County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 4.20 pounds of sulfur dioxide per million BTU actual heat input.

(16) In Belmont County: (i) The Wheeling Pittsburgh Steel Company or any subsequent owner or operator of the Martins Ferry steel plant in Belmont County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Martins Ferry facility in excess of 5.78 pounds of sulfur dioxide per million BTU actual heat input.

(17) In Butler County: (i) No present or subsequent owner or operator unless otherwise specified in this subparagraph, of any fossil fuel-fired

steam generating unit(s) located in Butler County, Ohio shall cause or permit sulfur dioxide emissions from any stack in excess of 1.40 pounds of sulfur dioxide per million BTU actual heat input. The fossil fuel-fired steam generating units at General Motors Corporation's Butler County plant, Armco's Hamilton plant, and Armco's Middetown plant are all exempted from this emission limitation in this subparagraph.

(ii) USEPA has rescinded the sulfur and sulfur dioxide emission limits for owners or operators of by-product coke ovens located in Butler County.

(iii) USEPA has rescinded the sulfur and sulfur dioxide emission limits for Armco Steel Company's Hamilton Plant located in Butler County.

(iv) USEPA has rescinded the sulfur dioxide emission limits for Armco Steel Company's Middletown Plant located in Butler County.

(v) The Champion Paper Company or any subsequent owner or operator of the Champion Paper facilities located in Butler County, Ohio shall not cause or permit emissions of sulfur dioxide from fossil fuel-fired steam-generating units numbered B010 and B020 in excess of 3.43 pounds of sulfur dioxide per million BTU actual heat input.

(18) In Clark County: (i) The Ohio Edison Company or any subsequent owner or operator of the Mad River Power Plant in Clark County, Ohio, shall not cause or permit the emission of sulfur dioxide from any of the stacks 1, 2, and 3 at the Mad River Plant in excess of 4.62 pounds of sulfur dioxide per million BTU actual heat input. Emissions of sulfur dioxide from stacks 4 and 5 at the Mad River Plant shall not be in excess of 1.00 pounds of sulfur dioxide per million BTU actual heat input.

(ii) In lieu of meeting paragraph (b)(18)(i) of this section, the Ohio Edison Company may elect for stacks 1, 2, and 3 only, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all of the following equations:

(A) $0.0995\ (EL_1 + EL_2) + 0.0173\ EL_3 < 1$

(B) $0.0498\ (EL_1 + EL_2 + 0.0516\ EL_3 < 1$

(C) $0.0735\ (EL_1 + EL_2) + 0.0190\ EL_3 < 1$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1
2	2
3	3
4	[1] A
5	[1] B

[1] Turbine.

(19) In Clermont County: (i) The Cincinnati Gas & Electric Company or any subsequent owner or operator of the Beckjord Power Plant in Clermont County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Beckjord plant in excess of 2.02 pounds of sulfur dioxide per million BTU actual heat input.

(ii) In lieu of paragraph (b)(19)(i) of this section, the Cincinnati Gas and Electric Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all of the following equations:

(A) $0.1426\ EL_1 + 0.1629\ EL_2 + 0.0667\ EL_3 + 0.0823\ EL_4 + 0.0122\ EL_5 < 1$

(B) $0.1252\ EL_1 + 0.1349\ EL_2 + 0.1003\ EL_3 + 0.1192\ EL_4 + 0.0155\ EL_5 < 1$

(C) $0.0337\ EL_1 + 0.0353\ EL_2 + 0.0382\ EL_3 + 0.0451\ EL_4 + 0.0709\ EL_5 < 1$

(D) $0.1334\ EL_1 + 0.1492\ EL_2 + 0.0740\ EL_3 + 0.0904\ EL_4 + 0.0247\ EL_5 < 1$

(E) $0.0249\ EL_1 + 0.0257\ EL_2 + 0.0283\ EL_3 + 0.0332\ EL_4 + 0.0841\ EL_5 < 1$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1
2	2
3	3
4	4

Stack No.	Boiler identification
5	5, 6

(20) In Columbiana County, no present or any subsequent owner or operator of any fossil fuel-fired steam generating unit(s) operating in Columbiana County, Ohio shall cause or permit emission of sulfur dioxide from any stack in excess of 4.40 pounds of sulfur dioxide per million BTU actual heat input.

(21) In Coshocton County: (i) The Columbus and Southern Ohio Power Company or any subsequent owner or operator of the Conesville Plant in Coshocton County, Ohio shall not cause or permit the emission of sulfur dioxide from any of the stacks 1, 2, and 3 at the Conesville Plant in excess of 5.66 pounds of sulfur dioxide per million BTU actual heat input. Stack 4 at the Conesville Plant is subject to New Source Performance Standards and is limited to 1.2 pounds of sulfur dioxide per million BTU actual heat input.

(ii) In lieu of meeting paragraph (b)(21)(i) of this section, the Columbus and Southern Ohio Power Company may elect for stacks 1, 2, and 3 only, in accordance with the compliance schedule provision of § 52.182, to comply with the emission limitations which will satisfy all of the following equations:

(A) $0.0677\,(EL_1+0.0411\,EL_2)+0.0065\,EL3<1$

(B) $0.0707\,(EL_1+0.0730\,EL_2)+0.0011\,EL3<1$

(C) $0.0623\,(EL_1+0.0767\,EL_2)+0.0013\,EL3<1$

(D) $0.0565\,(EL_1+0.0337\,EL_2)+0.0866\,EL3<1$

(E) $0.0401\,(EL_1+0.0683\,EL_2)+0.0026\,EL3<1$

(F) $0.0410\,(EL_1+0.1021\,EL_2)+0.0\,EL3<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i, and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2
2	3
3	4
4	5, 6

(22) In Crawford County, no present or any subsequent owner or operator of any fossil fuel-fired steam generating unit(s) operating in Crawford County, Ohio, shall cause or permit emissions of sulfur dioxide from any stack in excess of 9.60 pounds of sulfur dioxide per million BTU actual heat input.

(23) In Cuyahoga County, no owner or operator, unless otherwise specified in this subparagraph, shall cause or permit emission of sulfur dioxide from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating units between 10.0 and 350×10^6 BTU's per hour total rated capacity of heat input, the emission rate in pounds of sulfur dioxide per million BTU actual heat input shall be calculated by the following equation:

$$EL=7.014\,Q_m^{-0.3014}$$

where Q_m is the total rated capacity of heat input in million BTU per hour and EL is the allowable emission rate in pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired units equal to or greater than 350 million BTU per hour total rated capacity, 1.20 pounds of sulfur dioxide per million BTU of actual heat input.

(iii)(A) The Republic Steel Corporation or any subsequent owner or operator of Republic Steel facilities located in Cuyahoga County, Ohio shall not cause or permit the combustion of by-product coke oven gas at the basic oxygen furnace shop, open hearth shop, blast furnaces 1, 4 and 5, foundry, P-Anneals 1-4, and car thaw 1-1 through 1-4, containing a total sulfur content expressed as hydrogen sulfide in excess of 240 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas or the emission of sulfur dioxide from any stack at the above facilities in excess of 1.20 pounds of sulfur dioxide per million BTU actual heat input.

(B) The Republic Steel Corporation or any subsequent owner or operator of Republic Steel facilities located in Cuyahoga County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack attached to the Open Hearth precipitator units 111 and 112, 98-inch slab furnace units 1, 2, 3, 4, and 5, and the sinter plant at this facility in excess of 0.00 pounds of sulfur dioxide per million BTU actual heat input.

(C) The Republic Steel Corporation or any subsequent owner or operator of Republic Steel facilities located in Cuyahoga County, Ohio, shall not cause or permit the combustion of by-product coke oven gas at the 84-inch slab furnace units 1, 2 and 3 containing a total sulfur content expressed as hydrogen sulfide in excess of 244 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas or the emission of sulfur dioxide from any stack at the above facilities in excess of 1.24 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The Cleveland Electric Illuminating Company or any subsequent owner or operator of the Lake Shore Power Plant located in Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Lake Shore Plant in excess of the following rates:

(A) 1.30 pounds of sulfur dioxide per million BTU of actual heat input from unit no. 18.

(B) 1.90 pounds of sulfur dioxide per million BTU of actual heat input for units 91 through 94.

(v) The City of Cleveland or any subsequent owner or operator of the Division Pumping Station located at Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Division Pumping Station in excess of 4.20 pounds of sulfur dioxide per million BTU of actual heat input.

(vi) No present or subsequent owner or operator of the fossil fuel-fired steam generating units listed herein shall cause or permit the emission of sulfur dioxide from any stack attached to the identified boilers in excess of 1.00 pounds of sulfur dioxide per million BTU of actual heat input:

Company	Boiler identification
(A) Cleveland Electric Illuminating Co., Hamilton Ave. Steam Plant	All boilers.
(B) Republic Steel	234, 1, 2, A, B, and C.
(C) Addressograph	1, 2, and 3.
(D) General Electric Co	1 and 2.
(E) Jones and Laughlin Steel	30
(F) Harshaw Chemical	7, 8, and 9

(vii) No present or subsequent owner or operator of the fossil fuel-fired steam generating units listed herein shall cause or permit the emission of sulfur dioxide from any stack attached to the identified boilers in excess of 0.50 pounds of sulfur dioxide per million BTU of actual heat input:

Company	Boiler identification
(A) Jones & Laughlin Steel	22, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35
(B) U.S. Steel, Cuyahoga-Lorain works.	1, 2, 3, 4, 5, and 6
(C) DuPont	18.
(D) Standard Oil of Ohio	7, 9, and 10

(viii) The United States Steel Corporation, Cuyahoga Works or any subsequent owner or operator of the Cuyahoga Works in Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack attached to boilers 3 through 7 at the Cuyahoga Works in excess of 1.30 pounds of sulfur dioxide per million BTU of actual heat input.

(ix) The Hupp Company or any subsequent owner or operator of Hupp facilities in Cuyahoga County, Ohio shall not cause or permit emission of sulfur dioxide from any stack attached to boilers 1 through 3 at this facility in excess of 3.50 pounds of sulfur dioxide per million BTU of actual heat input.

(x) The Chase Bag Company or any subsequent owner or operator of Chase Bag facilities in Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack attached to boilers 1 & 2 at this facility in excess of 4.20 pounds of sulfur dioxide per million BTU of actual heat input.

(xi) The General Electric Company or any subsequent owner or operator of General Electric facilities in Cuyahoga County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack attached to boilers 3 and 4 at this facility in excess of 3.10

pounds of sulfur dioxide per million BTU of actual heat input.

(xii) The General Motors Corporation or any subsequent owner or operator of the Fisher Body plant at Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack attached to boilers 7, 8, and 9 at this facility in excess of 2.10 pounds of sulfur dioxide per million BTU of actual heat input.

(xiii) No present or subsequent owner or operator of the Medical Center located in Cuyahoga County, Ohio shall cause or permit the emission of sulfur dioxide from any stack attached to boilers 3 through 8 at the Medical Center in excess of 4.60 pounds of sulfur dioxide per million BTU of actual heat input.

(xiv) The Ford Motor Company or any subsequent owner or operator of the Ford Motor Company facilities located at Cuyahoga County, Ohio shall not cause or permit emissions of sulfur dioxide from any stack at these facilities in excess of the rates specified below:

(A) 1.20 pounds of sulfur dioxide per million BTU actual heat input for boilers 1, 2, and 3 at the Stamping Plant.

(B) 4.20 pounds of sulfur dioxide per million BTU actual heat input for boilers 1, 2, 3, 4, and 5 at the Engine Plant #2.

(xv) No present or subsequent owner or operator of the Highland View Hospital shall cause or permit the emission of sulfur dioxide from any stack at the Highland View Hospital in excess of the rates specified below:

(A) 2.90 pounds of sulfur dioxide per million BTU of heat input for boilers 3 and 4.

(B) 1.50 pounds of sulfur dioxide per million BTU of heat input for boilers and 1 and 2.

(xvi) The Allied Chemical Company or any subsequent owner or operator of the Allied Chemical Company sulfuric acid production units at Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any unit in excess of 4.8 pounds of sulfur dioxide per ton of 100% sulfuric acid produced.

(xvii) No owner or operator, unless otherwise specified in this subparagraph, shall cause or permit the combustion of by-product coke oven gas from any stack containing a total sulfur content expressed as hydrogen sulfide in excess of 170 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas or the emission of sulfur dioxide from any stack in excess of 0.86 pounds of sulfur dioxide per million BTU actual heat input. Facilities subject to paragraphs (b)(23) (i) and (ii) of this section are not subject to this limitation.

(xviii) No owner or operator of any process equipment, unless otherwise specified in this paragraph, shall cause or permit the emission of sulfur dioxide from any stack in excess of 6.00 pounds of sulfur dioxide per ton of actual process weight input.

(xix) The Harshaw Chemical Company or any subsequent owner or operator of the Harshaw Chemical Company facilities in Cuyahoga County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack in excess of 19.0 pounds of sulfur dioxide per ton of actual process weight input.

(xx) The Dupont Company or any subsequent owner or operator of the Dupont Company sulfuric acid production units at Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide in excess of 10.0 pounds of sulfur dioxide per ton of 100% sulfuric acid production.

(xxi) The Aluminum Company of America (ALCOA) or any subsequent owner or operator of ALCOA's Cleveland Works in Cuyahoga County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 5.20 pounds of sulfur dioxide per million BTU actual heat input.

(24) In Delaware County, no present or subsequent owner or operator of any fossil fuel-fired steam generating unit(s) operating in Delaware County, Ohio, shall cause or permit emission of sulfur dioxide from any stack in excess of 4.00 pounds of sulfur dioxide per million BTU actual heat input.

(25) In Erie County: (i) No present or any subsequent owner or operator of any fossil fuel-fired steam generating unit(s) shall cause or permit emission of sulfur dioxide from any stack in excess of 1.60 pounds of sulfur dioxide per million BTU actual heat input.

(ii) No present or any subsequent owner or operator of any process equipment, shall cause or permit the emission from any stack into the atmosphere of any process gas stream containing sulfur dioxide in excess of 9.50 pounds of sulfur dioxide per ton of actual process weight input.

(26) In Fairfield County: (i) The Diamond Power Specialty Company or any subsequent owner or operator of the Diamond Power facility in Fairfield County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Diamond Power facility in excess of 6.90 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The Crown-Zellerbach Corporation or any subsequent owner or operator of the Crown-Zellerbach facility in Fairfield County, Ohio shall not cause or permit the emission of sulfur dioxide from the stack attached to 2 boiler at the Crown-Zellerbach facility in excess of 7.00 pounds of sulfur dioxide per million BTU actual heat input.

(27) In Franklin County, no owner or operator of the following types of facilities unless otherwise specified in this paragraph, shall cause or permit emission of sulfur dioxide from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating unit between 10.0 and 50.0×10^6 BTU per hour total rated capacity of heat input, the emission rate in pounds of sulfur dioxide per million BTU actual heat input shall be calculated by the following equation:

$$EL = 8.088 Q_m^{-0.4301}$$

where Q_m is the total rated capacity of heat input in million BTU per hour and *EL* is the allowable emission rate in pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating unit(s) equal to or greater than 50.0×10^6 BTU per hour total rated capacity of heat input, the emission limitation shall be 1.50 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The present or any subsequent owner or operator of the Columbus State Institution in Franklin County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 3.80 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The present or any subsequent owner or operator of the Columbus State Hospital in Franklin County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 4.10 pounds of sulfur dioxide per million BTU actual heat input.

(v) The present or any subsequent owner or operator of Ross Laboratory in Franklin County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 4.80 pounds of sulfur dioxide per million BTU actual heat input.

(vi) The present or any subsequent owner or operator of the Rickenbacker Air Force Base in Franklin County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 2.20 pounds of sulfur dioxide per million BTU actual heat input.

(vii) The present or any subsequent owner or operator of the Capital City Products facility in Franklin County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 3.10 pounds of sulfur dioxide per million BTU actual heat input.

(viii) The present or any subsequent owner or operator of the Westinghouse Electric facility in Franklin County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 2.20 pounds of sulfur dioxide per million BTU actual heat input.

(ix) (A) The present or any subsequent owner or operator of the Naval Weapons Industrial Reserve Plant in Franklin County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 1.06 pounds of sulfur dioxide per million BTU actual heat input.

(B) In lieu of meeting § 52.1881(b)(27)(ix)(A), the present or any subsequent owner or operator of the Naval Weapons Industrial Reserve Plant may elect to comply with the alternate emission limitation and operating conditions specified below.

(*1*) The present or any subsequent owner or operator of the Naval Weapons Industrial Reserve Plant shall not cause or permit the emission of sulfur dioxide from any stack in excess of 3.65 pounds of sulfur dioxide per million BTU actual heat input provided that such stacks be greater than or equal to 44.5 meters in height and that the combined maximum boiler design capacity be limited to 177 million BTU per hour by installation of a lock-out system on the boiler coal-feeders. The present or any subsequent owner or operator of the Naval Weapons Industrial Reserve Plant shall keep a permanent log on the lock-out system and record any problems with the system in the log. This log shall be available for inspection by the EPA. This log shall be in lieu of the reporting and monitoring requirements of § 52.1882(g).

(*2*) The present or any subsequent owner or operator of the Naval Weapons Industrial Reserve Plant shall be permitted to operate its five boilers (#1, 2, 3, 5a or 5b) in only one of the following three configurations at any given time:

(*i*) Any two of boilers 1, 2, or 3 on; the remaining three boilers off.

(*ii*) Boilers 5a and 5b on; boilers 1, 2, and 3 off.

(*iii*) Boiler 5b and any one of boilers 1, 2, or 3 on; the remaining three boilers off.

(*3*) In the event that the Naval Weapons Industrial Reserve Plant elects to comply with the alternate emission limitation and operating configurations in § 52.1881(b)(27)(ix)(B) (*1*) and (*2*) and vents its boilers through stacks greater than or equal to 44.5 meters in height and installs a lock-out system on the boiler coal-feeders such that the combined maximum boiler design capacity is limited to 177 MMBTU/hr, all such action shall be taken within 30 weeks of (the effective date of promulgation). The Administrator must be notified in writing that all such action was taken within five working days of its completion.

(x) No owner or operator of any primary zinc smelter shall cause or permit the emission of sulfur dioxide from the plant in excess of the amount prescribed by the following equation:

$$Y=0.564X^{0.85}$$

where X is the total sulfur feed expressed as elemental sulfur in the smelter input stream in lbs/hour and Y is the allowable sulfur dioxide emission rate in lbs/hour from all stacks combined.

(xi) Except as provided in paragraph (b)(27)(x) of this section, no owner or operator of any process equipment shall cause or permit the emission from any stack into the atmosphere of any process gas stream containing sulfur dioxide in excess of 2.40 pounds of sulfur dioxide per ton of actual process weight input.

(28) In Gallia County: (i) The Ohio Power Company or any subsequent owner or operator of the Gavin Power Plant in Gallia County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Gavin facility in excess of 7.41 pounds per million Btu actual heat input.

(ii) The Ohio Valley Electric Company or any subsequent owner or operator of the Kyger Creek Power Plant in Gallia County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Kyger Creek facility in excess of 8.20 pounds of sulfur dioxide per million BTU actual heat input.

(29) In Greene County: (i) No owner or operator of any process equipment shall cause or permit the emission of sulfur dioxide from any stack in excess of that permitted by the following equation:

$$EL=563.3P^{-0.9027}$$

where EL is the allowable emission rate in pounds of sulfur dioxide per ton of actual process weight input and P is the design process weight input rate in tons per hour.

(ii) The present or any subsequent owner of the Wright Patterson Air Force Base in Greene County, Ohio, shall not cause or permit emissions of sulfur dioxide in excess of 877.2 nanograms of sulfur dioxide per joule (2.04 lbs. SO_2/MMBTU) of actual heat input from the stack at Building 20770 and stacks #2 and 3 at Building 31240.

(iii) No present or any subsequent owner of the Antioch College at Greene County, Ohio shall cause or permit the emissions of sulfur dioxide from any stack at Antioch College in excess of the rates specified below:

(A) 6.20 pounds of sulfur dioxide per million BTU actual heat input for any fossil fuel-fired steam generating unit burning coal.

(B) 1.40 pounds of sulfur dioxide per million BTU actual heat input for any fossil fuel-fired steam generating unit burning oil.

(iv) No present or any subsequent owner of Central State University at Greene County, Ohio shall cause or permit emissions of sulfur dioxide from any stack at Central State University in excess of the rates specified below:

(A) 4.30 pounds of sulfur dioxide per million BTU actual heat input from Stack 1.

(B) 0.30 pound of sulfur dioxide per million BTU actual heat input from Stack 2.

(30) In Hamilton County: (i) No owner or operator of any fossil fuel-fired steam generating unit(s) located in Hamilton County, Ohio, unless otherwise specified in this paragraph, shall cause or permit sulfur dioxide emissions from any stack in excess of 2.00 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The Cincinnati Gas and Electric Company or any subsequent owner or operator of the Miami Fort Power Plant in Hamilton County, Ohio shall not cause or permit the emissions of sulfur dioxide, from stack number 2 at the Miami Fort Plant in excess of 0.30 pound of sulfur dioxide per million BTU actual heat input, from stacks 3 and 4 at the Miami Fort Plant in excess of 3.30 pounds of sulfur dioxide per million BTU actual heat input, from stack 5 at the Miami Fort Plant in excess of 5.50 pounds of sulfur dioxide per million BTU actual heat input. Stack number 6 is subject to Federal New Source Performance Standards and is limited to 1.20 pounds of sulfur dioxide per million BTU of actual heat input. Stacks at the Miami Fort Power Plant are identified as follows:

Stack No.	Boiler No.
2	3
3	4 and 5
4	6
5	7
6	8

(iii) No owner or operator of a sulfur acid production unit(s) shall cause or permit the emissions of sulfur dioxide from the unit(s) in excess of 21.0 pounds of sulfur dioxide per ton of 100% sulfuric acid produced.

(iv) No owner or operator of any fluidized catalytic cracking unit located in Hamilton County, Ohio shall cause or permit sulfur dioxide emissions from any unit in excess of 0.78 pound of sulfur dioxide per thousand pounds of charging feed stock.

(31) In Hancock County: (i) No owner or operator of any fossil fuel-fired steam generating unit(s) or process operation heater(s) located in Hancock County, Ohio, unless otherwise specified in the paragraph, shall cause or permit sulfur dioxide emissions from any stack in excess of 5.20 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The Northern Ohio Sugar Company, or any subsequent owner or operator of the Northern Ohio Sugar Company facilities in Hancock County, Ohio shall not cause or permit sulfur dioxide emissions from any stack in excess of 2.50 pounds of sulfur dioxide per million BTU actual heat input.

(32) In Henry County: (i) No owner or operator of any oil-fired fossil fuel steam generating unit, unless otherwise specified shall cause or permit emission of sulfur dioxide from any stack in excess of 2.10 pounds per million BTU actual heat input.

(ii) The present or subsequent owner or operator of the City of Napoleon Power Plant in Henry County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Napoleon Power Plant in excess of 5.88 pounds of sulfur dioxide per million BTU actual heat input.

(33) In Huron County, no owner or operator of any fossil fuel-fired steam generating unit shall cause or permit emission of sulfur dioxide from any stack in excess of 8.00 pounds of sulfur

dioxide per million BTU actual heat input.

(34) In Jefferson County, no owner or operator, unless otherwise specified in this paragraph, shall cause or permit sulfur dioxide emissions from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating unit(s) burning coal: 1.80 pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating unit(s) burning oil: 0.80 pound of sulfur dioxide per million BTU actual heat input.

(iii) The Kaul Clay Company or any subsequent owner or operator of the Kaul Clay Plant facilities in Jefferson County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack of this facility in excess of 2.82 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The Toronto Paper Board Company or any subsequent owner or operator of the Toronto Paper Board Company plant facilities in Jefferson County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 5.96 pounds of sulfur dioxide per million BTU actual heat input.

(v) The Ohio Edison Company or any subsequent owner or operator of the Toronto Power Plant in Jefferson County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Toronto Plant in excess of 8.10 pounds of sulfur dioxide per million BTU actual heat input.

(vi) The Ohio Edison Power Company or any subsequent owner or operator of the Sammis Power Plant in Jefferson County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Sammis Plant in excess of 2.91 pounds of sulfur dioxide per million BTU actual heat input.

(vii) In lieu of meeting paragraph (b)(34)(vi) of this section, the Ohio Edison Company may elect, in accordance with the compliance schedule provision of § 52.1882, to comply with the emission limitations which simultaneously satisfy all of the following equations:

(A) $0.1673\ EL_1+0.1670\ EL_2+0.0072\ EL_3+0.0022\ EL_4\ 1$

(B) $0.0557\ (EL_1+EL_2+0.1106\ EL_3+0.0734\ EL_4\ 1$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2
2	3, 4
3	5, 6
4	7

(viii) The owner or operator of the Cardinal Power Plant in Jefferson County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Cardinal Plant in excess of 4.76 pounds of sulfur dioxide per million BTU actual heat input.

(ix) In lieu of meeting paragraph (b)(24)(vii) of this section, the owner or operator of the Cardinal Power Plant may elect, in accordance with the compliance schedule provision of § 52.1882, to comply with the emission limitations which satisfy the following equation:

(A) $0.0668\ (EL_1+EL_2)+0.0763\ EL_3<1$

where EL_i is the emission limitations (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1
2	2
3	3

(x) The Ohio Power Company or any subsequent owner or operator of the Tidd Power Plant in Jefferson County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Tidd Plant in excess of 1.58 pounds of sulfur dioxide per million BTU actual heat input.

(xi) In lieu of meeting paragraph (24)(viii) of this paragraph (b), the Ohio Power Company may elect, in accordance with the compliance schedule provision of § 52.1882, to comply with the emission limitations which will simultaneously satisfy all of the following equations:

(A) $.1521\ (EL_1 + EL_2) + .3267\ EL_3 < 1$
(B) $.1443\ (EL_1 + EL_2) + .3338\ EL_3 < 1$
(C) $.1568\ (EL_1 + EL_2) + .3169\ EL_3 < 1$
(D) $.1591\ (EL_1 + EL_2) + .3143\ EL_3 < 1$

where EL_i is the emission limitations (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	11
2	12
3	21

(xii) No owner or operator of a by-product coke oven shall cause or permit the combustion of by-product coke gas oven containing hydrogen sulfide in exess of 50 grains per 100 dry standards cubic feet of coke oven gas.

(xiii) The Wheeling Pittsburgh Steel Company or any subsequent owner or operator of the Yorkville Steel Plant facility in Jefferson County, Ohio shall not cause or permit the emission of sulfur dioxide from any fossil fuel-fired steam generating unit stack at the Yorkville facility in excess of 5.62 pounds of sulfur dioxide per million BTU actual heat input.

(35) In Lake County, no owner or operator of the following types of facilities, unless otherwise specified in this subparagraph, shall cause or permit emissions from stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating units between 10.0 and $1000 + 10^6$ BTU per hour total rated capacity of heat input, the emission rate in pounds of sulfur dioxide per million BTU actual heat input shall be calculated by the following equation:

$$EL = 14.976Q_m^{-0.3431}$$

where Q_m is the total rated capacity of heat input in million BTU per hour and *EL* is the allowable emission rate in pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating unit(s) equal to or greater than $1000 + 10^6$ BTU per hour total rated capacity of heat input, 1.40 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The present or any subsequent owner or operator of the Ohio Rubber Company facility in Lake County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the facility in excess of 6.00 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The present or any subsequent owner or operator of the Painesville Municipal Power Plant in Lake County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) For boilers 1 through 4: 5.20 pounds of sulfur dioxide per million BTU actual heat input.

(B) Boiler number 5 is subject to New Source Performance Standards and is limited to 1.20 pounds of sulfur dioxide per million BTU actual heat input.

(v) The present or any subsequent owner or operator of the Erie Coke and Chemical Company facility in Lake County, Ohio shall not cause or permit the combustion of by-product coke oven gas for coke oven underfiring containing a total sulfur content expressed as hydrogen sulfide in excess of 450 grains of hyrogen sulfide per 100 dry standard cubic feet of coke oven gas. All existing boilers previously owned by Diamond Shamrock will remain at 0.0 pounds of sulfur dioxide per million BTU actual heat input.

(vi) The Cleveland Electric Illuminating Co. or any subsequent owner or operator of the Eastlake Plant in Lake County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Eastlake Plant in excess of 5.64 pounds of sulfur dioxide per million Btu actual heat input from the effective date of these regulations until one year from that date or until the date provided in the last sentence of paragraph (b)(35)(vii) of this section, whichever is later.

(vii) [Reserved]

(viii)(A) The Lubrizol Corporation, or any subsequent owner or operator of the Lubrizol facilities located in Lake County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Lubrizol facility in excess of 20.00 pounds of sulfur dioxide per ton of actual process weight input.

(B) The Lubrizol Corporation, or any subsequent owner or operator of the Lubrizol facilities located in Lake County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack for boilers 1, 2 or 3 at the Lubrizol facility in excess of 0.55 pound of sulfur dioxide per million BTU actual heat input.

(ix) The Republic Steel Corporation, or any subsequent owner or operator of the Republic Steel facilities located in Lake County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Republic Steel facility in excess of 4.21 pounds of sulfur dioxide per ton of actual process weight input.

(36) In Lawrence County: (i) No owner or operator, unless otherwise specified below, of any industrial process equipment or fossil fuel-fired steam generator unit(s) shall cause or permit the combustion of gasses containing a total sulfur content expressed as hydrogen sulfide in excess of 235 grains of hydrogen sulfide per 100 dry standard cubic feet of gas; or the emission of sulfur dioxide from any stack in excess of 1.22 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The Marquette Cement Company or any subsequent owner or operator of the Marquette Cement Company facilities at Lawrence County, Ohio, shall not cause or permit the emission of sulfur dioxide in excess of 73.0 pounds of sulfur dioxide per ton of actual process weight input.

(iii) The Dayton Malleable Iron Company or any subsequent owner or operator of the Dayton Malleable Iron Company facilities at Lawrence County, Ohio, shall not cause or permit the emission of sulfur dioxide in excess of the rates specified below:

(A) 2.00 pounds of sulfur dioxide per ton of actual process weight input at the holding furnaces.

(B) 5.40 pounds of sulfur dioxide per ton of actual process weight input at the Cupola.

(iv) The Allied Chemical Company or any subsequent owner or operator of the Semet Solvay Division at Lawrence County, Ohio, shall not cause or permit the combustion of gases containing a total sulfur content expressed as hydrogen sulfide in excess of 165 grains of hydrogen sulfide per 100 dry standard cubic feet of gas, or 0.86 pound of sulfur dioxide per million BTU actual heat input, at tar processing boilers 1, 2 and 3.

(v) The Allied Chemical Company or any subsequent owner or operator of the Specialty Chemicals Division in Lawrence County, Ohio, shall not cause or permit the emission of sulfur dioxide from any fossil fuel-fired steam generating unit in excess of 5.52 pounds of sulfur dioxide per million BTU actual heat input.

(37) In Licking County, no owner or operator of any oil-fired steam generating unit(s) shall cause or permit emission of sulfur dioxide from any stack in excess of 1.50 pounds of sulfur dioxide per million BTU actual heat input.

(38) In Lorain County, no owner or operator, unless otherwise specified in this paragraph, shall cause or permit sulfur dioxide emissions from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating units between 10.0 and 100 million BTU per hour total rated capacity of heat input, the maximum allowable emission rate from any stack shall be calculated by the following equation:

$$EL = 21.176 Q_m^{-0.8477}$$

where Q_m is the total rated capacity of heat input in million BTU per hour and EL is the allowable emission rate in pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating units equal to or greater than 100 million BTU per hour total rated capacity of heat input, the maximum allowable emission rate from any stack shall be 1.70 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The Cleveland Electric Illuminating Co., or any owner or operator of the Avon Lake Plant in Lorain County, Ohio, shall not cause or permit the emission of sulfur dioxide in pounds per million Btu actual heat input from any stack at the Avon Lake Plant in excess of the rates specified in one of the following alternatives from the effective date of these regulations until one year from that date or until the date provided in the last sentence of paragraph (b)(38)(iv) of this section, whichever is later:

ALTERNATIVE 1

Stack No., Boiler identification, and Emission limit

1—1,2—1.06
2—3,4—1.06
3—5,6—1.06
4—7,8—1.06
5—9—4.10
6—10—4.10
7—11—4.10
8—12—4.10

ALTERNATIVE 2

Stack No., Boiler identification, and Emission limit

1—1,2—0.32
2—3,4—0.32
3—5,6—0.32
4—7,8—0.32
5—9—4.65
6—10—4.65
7—11—4.65
8—12—4.65

(iv) [Reserved]

(v) The Cleveland Electric Illuminating Co. or any subsequent owner or operator of the Edgewater Plant located in Lorain County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Edgewater facility in excess of 3.40 pounds of sulfur dioxide per million BTU actual heat input.

(vi) The United States Steel Corporation or any subsequent owner or operator of the United States Steel facilities in Lorain County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at those facilities in excess of:

(A) For fossil fuel-fired steam generating units number 001 through 009: 1.20 pounds of sulfur dioxide per million BTU of actual heat input.

(B) For fossil fuel-fired steam generating units number 010 through 012: 1.98 pounds of sulfur dioxide per million BTU of actual heat input.

(C) For fossil fuel-fired steam generating unit number 013: 0.31 pound of sulfur dioxide per million BTU of actual heat input.

(D) For all other fossil fuel-fired steam generating units, paragraph (b)(38)(i) or (b)(38)(ii) of this section shall apply, as applicable.

(vii) The United States Steel Corporation or any subsequent owner or operator of the United States Steel facilities in Lorain County, Ohio, shall not cause or permit the combustion of by-product coke oven gas from any stack containing a total sulfur content expressed as hydrogen sulfide in excess of 368 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas and shall not cause or permit the emission of sulfur dioxide from any stack in excess of 1.98 pounds of sulfur dioxide per million BTU of actual heat input.

(viii) The General Motors Corporation or any subsequent owner or operator of the Fisher Body Plant at Lorain County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Fisher Body Plant in excess of the rates specified below:

(A) 0.80 pound of sulfur dioxide per million BTU of actual heat input for boilers number 001 and 002.

(B) 0.90 pound of sulfur dioxide per million BTU of actual heat input for boiler number 004.

(C) For all other fossil fuel-fired steam generating units, paragraph (b)(38)(i) or (38)(ii) of this section, shall apply, as applicable.

(ix) Oberlin College or any subsequent owner or operator of the Oberlin College facility in Lorain County, Ohio shall not cause or permit the emission of sulfur dioxide in excess of the rates specified below:

(A) 6.92 pounds of sulfur dioxide per million BTU of actual heat input for coal-fired boilers No. 1 and 2.

(B) 0.35 pounds of sulfur dioxide per million BTU of actual heat input for oil-fired boiler No. 3.

(x) The B. F. Goodrich Company or any subsequent owner or operator of the facility in Lorain County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of the rates specified below:

(A) 129.0 nanograms of sulfur dioxide per joule (0.30 lbs. SO_2/MMBTU) of actual heat input for oil-fired boilers number 1, 2, 5, and 6.

(B) 2237.1 nanograms of sulfur dioxide per joule (5.20 lbs. SO_2/MMBTU) of actual heat input for coal-fired boilers number 3 and 4.

(39) In Lucas County, no owner or operator of the following types of facilities, unless otherwise specified in this paragraph, shall cause or permit sulfur dioxide emissions from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating units burning coal the emission rate shall be 1.50 pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating units burning oil the emission rate shall be 1.00 pound of sulfur dioxide per million BTU actual heat input.

(iii) The Toledo Edison Company or any subsequent owner or operator of the Bay Shore Station in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Bay Shore Station in excess of the rates specified below:

(A) 834.6 nanograms of sulfur dioxide per joule (1.94 lbs SO_2/MMBTU) actual heat input for the fossil fuel-fired steam generating units burning coal.

(B) 215.1 nanograms of sulfur dioxide per joule (0.50 lbs SO_2/MMBTU) actual heat input for the fossil fuel-fired peaking unit burning oil.

(iv) Standard Oil of Ohio or any subsequent owner or operator of the Standard Oil of Ohio facility located in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of the rates specified below:

(A) 0.29 pound of sulfur dioxide per million BTU actual heat input for all process heaters and fossil fuel-fired steam-generating units unless otherwise specified in this subparagraph.

(B) 1.00 pound of sulfur dioxide per million BTU actual heat input for process heaters or fossil fuel-fired steam-generating units numbered B024.

(C) 0.50 pound of sulfur dioxide per million BTU actual heat input for process heater or fossil fuel-fired steam-generating unit number B021.

(D) 0.57 pounds of sulfur dioxide per million BTU actual heat input for process heaters or fossil fuel-fired steam-generating units numbered B009, B010, B020, B023, and B025.

(E) 0.92 pound of sulfur dioxide per 1,000 pounds of charging stock for catalytic cracking units and CO boilers connected to a common stack.

(F) 0.40 pound of sulfur dioxide per ton of actual process weight input for any process.

(v) [Reserved]

(vi) The Coulton Chemical Company or any subsequent owner or operator of the Coulton Chemical facility in Lucas County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Coulton Chemical facility in excess of the rates specified below:

(A) 0.00 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel fired steam generating units or process heaters.

(B) 6.50 pounds of sulfur dioxide per ton of 100 percent sulfuric acid produced for sulfuric acid production units.

(vii) The Toledo Edison Company or any subsequent owner or operator of the Acme Power Plant in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Acme plant in excess or the rates specified below:

(A) 516.2 nanograms of sulfur dioxide per joule (1.20 lbs SO_2/MMBTU) actual heat input for fossil fuel-fired steam generating units burning coal.

(B) 1.00 pound of sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam-generating units burning oil.

(viii) Gulf Oil or any subsequent owner or operator of the Gulf Oil facility in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Gulf Oil facility in excess of the rates specified below:

(A) 0.90 pound of SO_2 per million BTU actual heat input for fossil fuel-fired steam generating units numbered B001, B002, B003 and B004.

(B) 1.03 pounds of SO_2 per million BTU actual heat input for process heaters or fossil fuel-fired steam generating units numbered B005, B006, and B013.

(C) 1.21 pounds of SO_2 per million BTU actual heat input for process heater numbered B009 and for the stack connecting process heaters numbered B007 and B008.

(D) 1.29 pounds of SO_2 per million BTU actual heat input for process heater number B014.

(E) 1.57 pounds of SO_2 per 1,000 pounds of charging stock for catalytic cracking unit P003 and CO boiler B016 connected to the same stack.

(F) 200 pounds of SO_2 per 2,000 pounds of sulfur processed for sulfur recover plant P005.

(G) Gulf Oil or any subsequent owner or operator of these facilities located in Lucas County, Ohio, shall not cause or permit the combustion of refinery fuel gas at process heaters numbered B010, B011, B012, B015 and for the waste heat boiler stack connecting process heaters numbered B017, B018, B019 and B020 containing a total sulfur content expressed as hydrogen sulfide in excess of 10 grains of hydrogen sulfide per 100 dry standard cubic feet of refinery fuel gas or the emission of SO_2 from any stack of the above units in excess of 0.04 pound of SO_2 per million BTU actual heat input.

(H) Gulf Oil or any subsequent owner or operator of the Gulf Oil facilities located in Lucas County, Ohio shall operate only one of the units numbered B001, B002, B003, and B004 simultaneously with the 3 units numbered B005, B006 and B016.

(I) Gulf Oil or any subsequent owner or operator of the Gulf Oil facilities located in Lucas County, Ohio, shall not operate more than two of the units numbered B001, B002, B003, and B004 simultaneously with two of the units numbered B005, B006 and B016.

(J) Gulf Oil or any subsequent owner or operator of the Gulf Oil facilities located in Lucas County, Ohio shall limit the simultaneous operation of B001, B002, B003, and B004 to the operating configurations specified in paragraphs (b)(39)(viii) (H) and (I) of this section.

(ix) The Toledo Edison Company or an subsequent owner or operator of the Water Street Steam Plant in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Water Street Plant in excess of 430.2 nanograms of sulfur dioxide per joule (1.00 lbs SO_2 per MMBTU) actual heat input.

(x) Phillips Petroleum Company or any subsequent owner or operator of the Toledo Philblack Plant in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Toledo Philblack Plant in excess of the rates specified below:

(A) 4.67 pounds of sulfur dioxide per million BTU actual heat input for any process dryer.

(B) 4.99 pounds of sulfur dioxide per million BTU actual heat input for all fossil fuel-fired steam-generating units, processes and incinerator unless otherwise specified in this paragraph.

(xi) Interlake Incorporated or any subsequent owner or operator of the Interlake Incorporated facility in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of the rates specified below:

(A) 43.0 nanograms of sulfur dioxide per joule (0.10 lbs SO_2 MMBTU) actual heat input for the fossil fuel-fired steam-generating units and the combined maximum hourly allowable heat input rate shall not exceed 300 million BTUs per hour.

(xii) Nabisco or any subsequent owner or operator of the Nabisco facility in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of 1.20 pounds of sulfur dioxide per million BTU actual heat input.

(xiii) The Toledo Hospital or any subsequent owner or operator of the Toledo Hospital in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of 3.50 pounds of sulfur dioxide per million BTU actual heat input.

(xiv) Sun Petroleum Products Company or any subsequent owner or operator of the Sun Petroleum Products Company facility in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Sun facility in excess of the rates specified below:

(A) Unless otherwise specified in this paragraph, the combustion of refinery fuel gas containing a total sulfur content expressed as hydrogen sulfide in excess of 10 grains of hydrogen sulfide per 100 dry standard cubic feet of refinery fuel gas or the emission of sulfur dioxide from any stack at this facility in excess of 0.04 pounds of sulfur dioxide per million BTU actual heat input.

(B) 0.0 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam-generating units or process operation heaters numbered 502, 1901, 1902, 1903, 1904, 1905, and 1906.

(C) 3.00 pounds of sulfur dioxide per 1,000 pounds of charging stock for catalytic cracking units and CO boilers connected to the same stack.

(D) 1.80 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam-generating unit numbered 1910.

(E) 1.60 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired process heater units numbered 507 and 508.

(F) 1.50 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired process heater unit numbered 301.

(G) 1.40 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired process heater units numbered 9401.

(H) 1.10 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired process heater units numbered 501 and 503.

(I) 0.90 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired process heater unit numbered 304.

(J) 70 pounds of sulfur dioxide per 1000 pounds of sulfur processed for sulfur recovery plants.

(K) Fossil fuel-fired process heater units numbered 501 and 503 will not be operated simultaneously with Fossil fuel-fired process heater unit number 507.

(xv) Seneca Petroleum or any subsequent owner or operator of the Seneca Petroleum facility in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Seneca Petroleum facility in excess of 1.20 pounds of sulfur dioxide per million BTU actual heat input.

(xvi) The Koppers Company Incorporated or any subsequent owner or operator of the Koppers facility in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of the rates specified below:

(A) 111.8 nanograms of sulfur dioxide per joule (0.26 lbs. SO_2 MMBTU) actual heat input for the two new fossil fuel-fired steam generating units.

(B) 1.69 kilogram of sulfur dioxide per metric ton (3.38 lbs. SO_2 per ton) of actual process weight input for the coke battery.

(40) In Mahoning County, no owner or operator, unless otherwise specified in this paragraph, shall cause or permit the emission of sulfur dioxide in excess of the rates specified below:

(i) For fossil fuel-fired steam-generating units: 0.50 pound of sulfur dioxide per million BTU of actual heat input.

(ii) For process operations: 1.00 pound of sulfur dioxide per ton of actual process weight input.

(iii) No owner or operator shall cause or permit the combustion of by-product coke oven gas from any stack containing a total sulfur content expressed as hydrogen sulfide in excess of 135 grains hydrogen sulfide per 100 dry standard cubic feet of coke oven gas or the emission of sulfur dioxide from any stack in excess of 0.68 pound of sulfur dioxide per million BTU actual heat input.

(iv) The Ohio Edison Company or any subsequent owner or operator of the North Avenue Steam Plant located in Mahoning County shall not cause or permit the emission of sulfur dioxide from any stack at the North Avenue Steam Plant in excess of 4.75 pounds of sulfur dioxide per million BTU of actual heat input.

(v) Lonardo & Sons Greenhouse or any subsequent owner or operator of the Lonardo & Sons Greenhouse facilities located in Mahoning County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at Lonardo & Sons Greenhouse in excess of 2.00 pounds of sulfur dioxide per million BTU actual heat input.

(vi) Whiteacre-Greer Fireproofing or any subsequent owner or operator of the Whiteacre-Greer facilities located at Mahoning County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at Whiteacre-Greer in excess of 20 pounds of sulfur dioxide per ton of actual process weight input.

(vii) The Koppers Company or any subsequent owner or operator of the Koppers Company facilities located in Mahoning County, Ohio, shall not cause or permit the emission of sulfur dioxide from the stack connected to boiler number 3 in excess of 4.0 pounds of sulfur dioxide per million BTU actual heat input.

(viii) The Youngstown Sheet and Tube Company or any subsequent owner or operator of the Brier Hill Works located in Mahoning County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 0.00 pound sulfur dioxide per million BTU actual heat input.

(ix) The Youngstown Sheet and Tube Company or any subsequent owner or operator of the Campbell and Struthers Works located in Mahoning County, Ohio shall not cause or permit the emission of sulfur dioxide except as specified below:

(A) 2.67 pounds of sulfur dioxide per million BTU actual heat input from any stack at the coke plant.

(B) For the seamless mills, paragraphs (b)(40)(ix)(B) (*1*), (*2*) or (*3*) of this section apply in conjunction with paragraph (b)(40)(ix)(B) (*4*) of this section.

(*1*) 2.67 pounds of sulfur dioxide per million BTU actual heat input from any stack when coke oven gas is being combusted.

(*2*) When mixed gases are being combusted the maximum allowable emission limit from each stack shall be determined by the following equation:

$$EL = BF \times 2.67 \text{ lbs } SO_2/\text{MMBTU}$$

$$BF = \frac{\text{BTU content of coke oven gas}}{\text{BTU content of combined gas}}$$

(*3*) 18.68 pounds of sulfur dioxide per ton of process weight from any stack when any fuel is being combusted.

(*4*) 2309 tons of sulfur dioxide per any 365 day period from the seamless mills as a whole.

(C) For the boilerhouse, paragraphs (b)(40)(ix)(C) (*1*), (*2*), (*3*), (*4*) or (*5*) of this section apply in conjunction with paragraph (b)(40)(ix)(C) (*6*) of this section.

(*1*) 2.67 pounds of sulfur dioxide per million BTU actual heat input from any boiler unit when coke oven gas is being combusted.

(*2*) When mixed gases are being combusted the maximum allowable emission limit from each stack shall be determined by the following equation:

$$EL = BF \times 2.67 \text{ lbs } SO_2/\text{MMBTU}$$

$$BF = \frac{\text{BTU content of coke oven gas (from any boiler unit)}}{\text{BTU content of combined gas}}$$

(*3*) 1.06 pounds of sulfur dioxide per million BTU actual heat input from any boiler unit when fuel oil is being combusted.

(*4*) 0.93 pounds of sulfur dioxide per million BTU actual heat input from any boiler unit when tar is being combusted.

(*5*) 4.77 pounds of sulfur dioxide per million BTU actual heat input from any boiler unit when coal is being combusted.

(*6*) 4747 tons of sulfur dioxide per any continuous 365 day period from the boilerhouse as a whole plus the fraction of the 365 day period emission limitation for the seamless mills not consumed by emissions from the seamless mills in the same 365 day period.

(41) In Marion County: (i) No owner or operator of any process equipment shall cause or permit the emissions of sulfur dioxide from any stack in excess of 4.20 pounds of sulfur dioxide per million BTU actual heat input.

(ii) No owner or operator of any fossil fuel-fired steam generating unit(s) shall cause or permit the emission of sulfur dioxide from any stack in excess of 6.10 pounds of sulfur dioxide per million BTU actual heat input.

(42) In Medina County, no owner or operator of any fossil fuel-fired steam generating unit shall cause or permit the emission of sulfur dioxide from any stack in excess of 8.00 pounds of sulfur dioxide per million BTU actual heat input.

(43) In Meigs County, no owner or operator of any process shall cause or permit the emission of sulfur dioxide from any stack in excess of 11.0 pounds of sulfur dioxide per ton of actual process weight input.

(44) In Mercer County, no owner or operator of any fossil fuel-fired steam generating unit(s) shall cause or permit the emission of sulfur dioxide from any stack in excess of 8.00 pounds of sulfur dioxide per million BTU actual heat input.

(45) In Miami County: (i) No owner or operator of any fossil fuel-fired steam generating unit, unless otherwise specified in this subparagraph, shall cause or permit the emission of sulfur dioxide from any stack in excess of 3.20 pounds of sulfur dioxide per million BTU actual heat input.

(ii) No owner or operator of any process shall cause or permit the emission of sulfur dioxide from any stack in excess of 65.0 pounds of sulfur dioxide per ton of actual process weight input.

(iii) No present or subsequent owner of the Piqua Municipal Power Plant located in Miami County, Ohio shall cause or permit the emission of sulfur dioxide from any stack in excess of 4.78 pounds of sulfur dioxide per million BTU of actual heat input.

(iv) In lieu of meeting paragraph (b)(45)(iii) of this section, the Piqua Municipal plant may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all of the following equations:

$$(1)\ .0730(EL_1+EL_2)+.0628\ EL_3<1$$
$$(2)\ .0700(EL_1+EL_3)+.0663\ EL_2<1$$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2
2	3
3	4

(46) In Montgomery County, no owner or operator of any fossil fuel-fired steam generating unit(s), unless otherwise specified in this paragraph, shall cause or permit sulfur dioxide emissions in excess of the rates specified below:

(i) 1.60 pounds sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam generating units.

(ii) The Dayton Power and Light Company or any subsequent owner or operator of the Yankee Substation and the Monument Substation located in Montgomery County, Ohio, shall not cause or permit the emission of sulfur dioxide from any diesel oil-fired electric generating unit stack at these stations in excess of 0.65 pound of sulfur dioxide per million BTU actual heat input.

(iii) The Dayton Power and Light Company or any subsequent owner or operator of the Tait Power Plant in Montgomery County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Tait Plant in excess of 1.25 pounds of sulfur dioxide per million BTU actual heat input for coal-fired units and 0.65 pound of sulfur dioxide per million BTU actual heat input for diesel oil-fired electric generating units.

(iv) The Dayton Power and Light Company or any subsequent owner or operator of the Hutchings Power Plant in Montgomery County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Hutchings Plant in excess of 1.20 pounds of sulfur dioxide per million BTU actual heat input for coal-fired units and 0.65 pound sulfur dioxide per million BTU actual heat input for diesel oil-fired electric generating units.

(v) In lieu of meeting paragraph (b)(46)(iv) of this section, for the coal-fired units, the Dayton Power and Light Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy the following equation:

(1) $0.230\ EL_1+0.297\ EL_2+0.306\ EL_3<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purpose of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2
2	3, 4
3	5, 6

(vi) The Delco Corporation or any subsequent owner or operator of the Moraine facility in Montgomery County, Ohio, shall not cause or permit the emission of sulfur dioxide from any fossil fuel-fired steam generating unit stack at the Moraine facility in excess of 1.30 pounds of sulfur dioxide per million BTU actual heat input.

(vii) The Defense Electronics Supply facility, or any subsequent owner or operator of this facility in Montgomery County, Ohio shall not cause or permit the emission of sulfur dioxide from any fossil fuel-fired steam generating unit stack at the facility in excess of 0.95 pound of sulfur dioxide per million BTU actual heat input.

(viii) No owner or operator of any process equipment shall cause or permit the emission from any stack any process gas stream containing sulfur dioxide in excess of 2.60 pounds of sulfur dioxide per ton of actual process weight input.

(47) In Morgan County: (i) The Ohio Power Company or any subsequent owner or operator of the Muskingum River Power Plant in Washington and Morgan Counties, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Muskingum River plant in excess of 6.48 pounds of sulfur dioxide per million BTU actual heat input.

(ii) In lieu of meeting paragraph (b)(47)(i) of this section, the Ohio Power Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all the following equations:

(A) $0.0773\ EL_1+0.0622\ EL_2<1$
(B) $0.0640\ EL_1+0.0902\ EL_2<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i, and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2, 3, 4
2	5

(48) In Muskingum County: (i) The Ohio Power Company or any subsequent owner or operator of the Philo Power Plant in Muskingum County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Philo plant in excess of 1.14 pounds of sulfur dioxide per million BTU actual heat input.

(ii) In lieu of meeting paragraph (b)(48)(i) of this section, the Ohio Power Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all of the following equations:

(A) $0.3288\ EL_4+0.3301\ EL_5+0.1583\ EL_6<1$
(B) $0.3588\ EL_4+0.3605\ EL_5+0.1557\ EL_6<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
4	41, 42, 34, 38
5	51, 52
6	6

(iii) No owner or operator of any process equipment in Muskingum County, Ohio, shall cause or permit the emission of sulfur dioxide from any stack in excess of 58.0 pounds of sulfur dioxide per ton of actual process weight input.

(49) In Ottawa County: (i) No owner or operator of any fossil fuel steam generating unit shall cause or permit the emission of sulfur dioxide from any stack in excess of 5.90 pounds of sulfur dioxide per million BTU actual heat input.

(ii) No owner or operator of any process equipment shall cause or permit the emission of sulfur dioxide from any stack in excess of that permitted by the following equation:

$$EL=47.404P^{-0.130}$$

where EL is the allowable emission rate in pounds of sulfur dioxide per ton of actual process weight input and P is the design process weight input rate in tons per hour.

(50) In Paulding County, no owner or operator of any process equipment shall cause or permit the emission of sulfur dioxide from any stack in excess of 43.0 pounds of sulfur dioxide per ton of actual process weight input.

(51) In Pickaway County: (i) The Columbus and Southern Ohio Power Company or any subsequent owner or operator of the Picway Power Plant in Pickaway County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Picway plant in excess of 6.04 pounds sulfur dioxide per million BTU actual heat input.

(ii) In lieu of meeting paragraph (b)(51)(i) of this section, the Columbus and Southern Ohio Power Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all of the following equations:

(A) $0.0764\ EL_1+0.0759\ EL_2+0.0133\ EL_3<1$

(B) $0.0487\ EL_1+0.0484\ EL_2+0.0522\ EL_3<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i, and i is the stack number. For purpose of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	3
2	4
3	5

(iii) No owner or operator of any oil-fired steam generating unit in Pickaway County, Ohio shall cause or permit the emission of sulfur dioxide from any stack in excess of 0.85 pound of sulfur dioxide per million BTU actual heat input.

(52) The Portsmouth Gaseous Diffusion Plant in Pike County or any subsequent owner or operator of its fossil fuel-fired steam generating unit shall not cause or permit the emission of sulfur dioxide from any stack in excess of 2650.1 nanograms of sulfur dioxide per joule (6.16 lbs. SO_2/MMBTU).

(53) In Richland County: (i) No owner or operator of any process equipment shall cause or permit emissions of sulfur dioxide in excess of 7.10 pounds of sulfur dioxide per ton of actual process weight input.

(ii) The Westinghouse Electric Company, or any subsequent owner or operator of the Westinghouse Electric Company facility at Richland County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 4.50 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The General Motors Corporation, or any subsequent owner or operator of the Fisher Body Division Plant at Richland County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 3.10 pounds of sulfur dioxide per million BTU of actual heat input.

(iv) The City of Shelby, or any subsequent owner or operator of the Shelby Municipal Power Plant at Richland County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 9.3 pounds of sulfur dioxide per million BTU actual heat input.

(54) In Ross County, the Mead Corporation or any subsequent owner or operator of the Mead Corporation facilities at Ross County, Ohio shall not cause or permit emission of sulfur dioxide from any stack in excess of the following rates:

(i) 4.90 pounds of sulfur dioxide per ton of actual solids input.

(ii) 0.00 pound of sulfur dioxide per million BTU actual heat input for stacks 1, 2, 3, and 4. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1.
2	2.
3	3.
4	Chilpelco No. 5.

(55) In Sandusky County: (i) No present or subsequent owner or operator of any fossil fuel-fired steam generator unit(s) shall cause or permit emissions of sulfur dioxide from any stack in excess of 7.00 pounds of sulfur dioxide per million BTU actual heat input.

(ii) The J.E. Baker Company or any subsequent owner or operator of the J.E. Baker Company facilities in Sandusky County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 48.75 tons of sulfur dioxide per ton of actual process weight input.

(iii) The Woodville Lime Company, or any subsequent owner or operator of the Woodville Lime Company facilities in Sandusky County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 8.48 pounds of sulfur dioxide per ton of actual process weight input.

(iv) The Martin Marietta Company or any subsequent owner or operator of the Martin Marietta facilities in Sandusky County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 15.42 pounds of sulfur dioxide per ton of actual process weight input.

(v) The Ohio Lime Company or any subsequent owner or operator of the Ohio Lime Company facilities in Sandusky County, Ohio shall not cause or permit emissions of sulfur dioxide from any stack in excess of 17.04 pounds of sulfur dioxide per ton of actual process weight input.

(56) In Scioto County: (i) Empire Detroit Steel or any subsequent owner or operator of the Empire Detroit Steel coke oven facility at Scioto County, Ohio shall not cause or permit the combustion of by-product coke oven gas from any stack containing a total sulfur content expressed as hydrogen sulfide in excess of 800 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas or the emission of sulfur dioxide from any stack in excess of 4.10 pounds of sulfur dioxide per million BTU actual heat input.

(ii) No owner or operator of any oil-fired steam generating unit shall cause or permit the emission of sulfur dioxide from any stack in excess of 0.60 pound of sulfur dioxide per million BTU actual heat input.

(iii) No owner or operator of any coal-fired steam generating unit shall cause or permit the emission of sulfur dioxide from any stack in excess of 6.90 pounds of sulfur dioxide per million BTU actual heat input.

(57) In Seneca County: (i) No present or any subsequent owner or operator of any fossil fuel-fired steam generating unit(s) at Seneca County, Ohio shall cause or permit the emissions of sulfur dioxide from any stack in excess of the limits specified below:

(A) 1.20 pounds of sulfur dioxide per million BTU actual heat input for oil fired units.

(B) 8.20 pounds of sulfur dioxide per million BTU actual heat input for coal fired units.

(ii) No present or any subsequent owner or operator of process equipment, unless otherwise specified in this paragraph, shall cause or permit the emissions of sulfur dioxide from any stack in excess of 34.0 pounds of sulfur dioxide per ton of actual process weight input.

(iii) The Union Carbide Corporation, or any subsequent owner or operator of the Union Carbide Corporation facilities at Seneca County, Ohio shall not cause or permit emissions of sulfur dioxide from any stack in excess of the limits specified below:

(A) 552 pounds of sulfur dioxide per ton of actual process weight input at the calcining furnace.

(B) 176 pounds of sulfur dioxide per ton of actual process weight input at the activating furnace.

(58) In Stark County, no owner or operator of the following types of facilities, unless otherwise specified in this paragraph, shall cause or permit emission of sulfur dioxide from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating units between 10.0 and 60.0 million BTU per hour total rated capacity of heat input, the emission rate in pounds of sulfur dioxide per million BTU actual heat input shall be calculated by the following equation:

$$EL = 18.48Q_m^{-0.4666}$$

where Q_m is the total rated capacity of heat input in million BTU per hour and *EL* is the allowable emission rate in pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating units equal to or greater than 60 million BTU per hour total rated capacity of heat input: 2.50 pounds of sulfur dioxide per million BTU actual heat input.

(iii) Republic Steel Corporation or any subsequent owner or operator of the Massillon facilities in Stark County, Ohio shall not cause or permit the emission of sulfur dioxide from any fossil fuel-fired steam generating unit stack at the Massillon facility in excess of 4.40 pounds of sulfur dioxide per million BTU actual heat input.

(iv) The present or any subsequent owner or operator of the Massillon State Hospital facilities in Stark County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 5.20 pounds of sulfur dioxide per million BTU actual heat input.

(v) The present or any subsequent owner or operator of the Grief Board Company facilities in Stark County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 0.50 pound of sulfur dioxide per million BTU actual heat input.

(vi) The present or subsequent owner or operator of the Timken Company facilities in Stark County, Ohio shall not cause or permit the emission of sulfur dioxide from any fossil fuel-fired steam-generating unit(s) stack at this facility in excess of the rates specified below:

(A) 3.08 pounds of sulfur dioxide per million BTU actual heat input for the stack common to the fossil fuel-fired steam-generating units B001 and B002 at the Canton plant.

(B) 0.93 pounds of sulfur dioxide per million BTU actual heat input for the fossil fuel-fired steam-generating unit B003 at the Canton plant.

(C) 0.0 pounds of sulfur dioxide per million BTU actual heat input for the fossil fuel-fired steam-generating units B003 and B004 at the Gambrinus Plant.

(D) 0.67 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam-generating units at the Gambrinus Plant unless otherwise specified in this paragraph.

(vii) No owner or operator of any by-product coke oven operating in Stark County, Ohio shall cause or permit the combustion of by-product coke oven gas containing a total sulfur content expressed as hydrogen sulfide in excess of 350 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas or the emission of sulfur dioxide from any stack in excess of 1.70 pounds of sulfur dioxide per million BTU actual heat input.

(viii) No owner or operator of any process equipment in Stark County, Ohio shall cause or permit the emission of sulfur dioxide from any stack in excess of 80.0 pounds of sulfur dioxide per ton of actual process weight input.

(ix) The Ashland Oil Company, or any subsequent owner or operator of the Ashland Oil Company facilities in Stark County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of the emission limitations listed below:

(A) 0.025 pounds of sulfur dioxide per million BTU actual heat input for units 4-0-B-3, 4-2-B-1, 4-2-B-2, and 4-27-B-1.

(B) 1.00 pounds of sulfur dioxide per million BTU actual heat input for all process heaters and fossil fuel-fired steam-generating units unless otherwise specified in this paragraph.

(C) 0.62 pounds of sulfur dioxide per 1,000 pounds of charging stack for catalytic cracking units.

(D) 2.00 pounds of sulfur dioxide per 100 pounds of sulfur processed for sulfur recovery plants.

(E) Only two of the following three units may be operated simultaneously: 4-16-B-1, 4-16-B-2, and 4-16-B-12.

(x) The present or any subsequent owner or operator of the Hoover Co. in Stark County, Ohio shall not cause or permit the emission of sulfur dioxide in excess of 8.0 pounds of sulfur dioxide per million BTU actual heat input for the coal-fired boiler and 0.4 pounds of sulfur dioxide per million BTU actual heat input for the gas-fired boiler.

(59) In Summit County, no owner or operator of the following types of facilities, unless otherwise specified in this subparagraph, shall cause or permit emissions of sulfur dioxide from any stack in excess of the rates specified below:

(i) For fossil fuel-fired steam generating units between 10.0 and 300 million BTU per hour total rated capacity of heat input, the emission rate in pounds of sulfur dioxide per million BTU actual heat input shall be calculated by the following equation:

$$EL = 17.55\, Q_m^{-0.\text{[illegible]}}$$

where Q_m is the total rated capacity of heat input in million BTU per hour and EL is the allowable emission rate in pounds of sulfur dioxide per million BTU actual heat input.

(ii) For fossil fuel-fired steam generating unit(s) equal to or greater than 300 million BTU per hour total rated capacity of heat input, 1.80 pounds of sulfur dioxide per million BTU actual heat input.

(iii) The present or any subsequent owner or operator of the Diamond Crystal facility in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from coal-fired boilers at this facility in exess of 4.72 pounds of sulfur dioxide per million BTU of actual heat input or the emission of sulfur dioxide from oil-fired boilers at this facility in excess of 0.30 pound of sulfur dioxide per million BTU of actual heat input.

(iv) The present or any subsequent owner or operator of the Kittinger Supply Co. (formerly known as Akwell Industries) facility in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from oil-fired —oilers at this facility in excess of 0.80 pound of sulfur dioxide per million BTU of actual heat input or the emission of sulfur dioxide from coal-fired boilers at this facility in excess of 2.38 pounds of sulfur dioxide per million BTU of actual heat input.

(v) The present or subsequent owner or operator of the Ohio Brass Company facilities in Summit County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 4.20 pounds of sulfur dioxide per million BTU actual heat input. —I11(vi) The present or subsequent owner or operator of the Seiberling Rubber Co. facilities in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 1.46 pounds of sulfur dioxide per million BTU actual heat input.

(vii) The present or subsequent owner or operator of the Firestone Tire & Rubber Co. facilities in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) 1.76 pounds of sulfur dioxide per million BTU of actual heat input from boiler 21 when oil fired and 2.87 pounds of sulfur dioxide per million BTU of actual heat input from boilers 22 and 23 when coal fired.

(B) In lieu of meeting paragraph (59)(vii)(A) of this paragraph (b), the Firestone Tire and Rubber Co. may elect to comply with the alternate emission limitation of 2.20 pounds of sulfur dioxide per million BTU of actual heat input from boilers 21, 22, and 23 when all are oil fired.

(C) Firestone Tire & Rubber Co. or any subsequent owner or operator of the Firestone Tire & Rubber facilities located in Summit County, Ohio, shall operate no more than two of the boilers, 21, 22, or 23 simultaneously whether complying with either § 52.1881 (b) (59) (vii) (A) or § 52.1881 (b) (59) (vii) (B).

(viii) The present or subsequent owner or operator of the B. F. Goodrich Co. facilities in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) 0.51 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 31.

(B) 7.0 pounds of sulfur dioxide per million BTU actual heat input for coalfired Boilers #27 and #32.

(C) The B. F. Goodrich Co. or any subsequent owner or operator of the B. F. Goodrich facilities in Summit County, Ohio, shall not operate boiler 27 simultaneously with boiler 32.

(ix) The Goodyear Tire & Rubber Co. or any subsequent owner or operator of the Goodyear facilities in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack in excess of the rates specified below:

(A) 4.47 pounds of sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam-generating unit B001 located at plant I.

(E) 0.50 pound of sulfur dioxide per million BTU actual heat input for fossil fuel-fired steam-generating units B002 and B003 located at plant I.

(C) 160 pounds of sulfur dioxide per 1,000 pounds of sulfur processed, for the sulfur recovery unit(s).

(D) for Plant II boilers:

(*1*) 2.24 pounds of sulfur dioxide per million BTU actual heat input for coal-fired boilers A and B exiting through stack 4.

(*2*) 2.24 pounds of sulfur dioxide per million BTU actual heat input for coal-fired boiler C exiting through stack 5.

(*3*) 2.24 pounds of sulfur dioxide per million BTU acutal heat input for coal-fired boiler D exiting through stack 6.

(E) In lieu of meeting paragraph (59)(ix)(D) of this paragraph (b), The Goodyear Tire and Rubber Company may elect to comply with the alternate emission limitations and opeating conditions specified below for Plant II boilers, provided the General Tire and Rubber Company or any subsequent owner or operator of the General Tire facilities in Summit County, Ohio complies with § 52.1881(b)(xviii)(D):

(*1*) The Goodyear Tire and Rubber Company shall not cause or permit the emission of sulfur dioxide from any stack in excess of the rates specified below:

(*i*) 4.64 pounds of sulfur dioxide per million BTU actual heat input for coal-fired boilers A, B, and C exiting through stack 4.

(*ii*) 4.64 pounds of sulfur dioxide per million BTU actual heat input for coal-fired boiler D exiting through stack 6.

(*2*) The Goodyear Tire and Rubber Company shall operate no more than three of the boilers A, B, C, or D simultaneously.

(*3*) The Goodyear Tire and Rubber Company shall not operate boiler D simultaneously with boilers A and B.

(x) The present or any subsequent owner or operator of the Tecumseh Company facilities in Summit County, Ohio shall not cause or permit sulfur dioxide emissions from fossil fuel-fired steam generating unit(s) in excess of the rates specified below:

(A) 1.70 pounds sulfur dioxide per million BTU actual heat input for coal-fired units, and

(B) 0.70 pound sulfur dioxide per million BTU actual heat input for oil-fired unit(s).

(xi) The Ohio Edison or any subsequent owner or operator of the Ohio Edison Company's Beech Street power station in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Beech Street plant in excess of 0.00 pounds of sulfur dioxide per million BTU actual heat input.

(xii) The Ohio Edison Co. or any subsequent owner or operator of the Ohio Edison Co.'s Gorge plant in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at the Gorge plant in excess of 4.07 pounds of sulfur dioxide per million BTU actual heat input.

(xiii) No owner or operator of any process equipment, unless otherwise specified in this paragraph, shall cause or permit the emission of sulfur dioxide from any stack containing sulfur dioxide in excess of 17.0 pounds of sulfur dioxide per ton of actual process weight input.

(xiv) PPG Industries or any subsequent owner or operator of the PPG Industries facilities in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 0.00 pounds of sulfur dioxide per million BTU actual heat input for each coal-fired unit.

(xv) PPG Industries, or any subsequent owner or operator of the PPG Industries, Inc., Columbia Cement Plant, located in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack in excess of 0.0 pounds of sulfur dioxide per ton actual process weight input for the kilns.

(xvi) The present or any subsequent owner or operator of the Midwest Rubber Co. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess 1.80 pounds of sulfur dioxide per million BTU actual heat input.

(xvii) The present or any subsequent owner or operator of the Terex Division of General Motors Corp. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 0.85 pounds of sulfur dioxide per million BTU actual heat input.

(xviii) The present or any subsequent owner or operator of the General Tire & Rubber Co. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) 0.46 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 1 when exiting through stack S-35.

(B) 0.46 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 2 when exiting through stack S-36.

(C) 0.46 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 3 when exiting through stack S-37.

(D) In lieu of meeting paragraph (59)(xviii) (A), (B), and (C) of this paragraph (b), The General Tire and Rubber Company may elect to comply with the alternate emission limitations and operating conditions specified below, provided the Goodyear Tire and Rubber Company or any owner of operator of the Goodyear Tire and Rubber Plant II facilities in Summit County, Ohio, complies with § 52.1881(b)(ix)(E):

(*1*) The General Tire and Rubber Company shall not cause or permit the emission of sulfur dioxide from any stack in excess 2.47 pounds of sulfur dioxide per million BTU actual heat input for oil-fired boilers 1, 2, and 3 when exiting through one-175 foot stack consistent with section 123 of the Clean Air Act, as amended.

(xix) The present or any subsequent owner or operator of the Goodyear Aerospace Co. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at AB boilerhouse of this facility in excess of 1.10 pounds of sulfur dioxide per million BTU of actual heat input or the emission of sulfur dioxide from any stack at D boilerhouse of the facility in excess of 1.83 pounds of sulfur dioxide per million BTU of actual heat input.

(xx) The present or any subsequent owner or operator of the B. F. Goodrich Chemical Co. in Summit County, Ohio, shall not cause the emission of sulfur dioxide from any stack at this facility in excess of 5.22 pounds of sulfur dioxide per million BTU actual heat input.

(xxi) The present or any subsequent owner or operator of the Chrysler Corp. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) 0.86 pound of sulfur dioxide per million BTU actual heat input for boiler No. B001.

(B) 1.19 pounds of sulfur dioxide per million BTU actual heat input for boilers Nos. B002 and B003.

(60) In Trumbull County: (i) No owner or operator, unless otherwise specified in the paragraph, shall cause or permit the emission of sulfur dioxide from any stack in excess of 3.00 pounds of sulfur dioxide per million BTU actual heat input for coal-fired steam generating units.

(ii) No owner or operator, unless otherwise specified in this paragraph, shall cause or permit the emission of sulfur dioxide from any stack in excess of 1.00 pound of sulfur dioxide per million BTU actual heat input for oil-fired steam generating units.

(iii) The Republic Steel Corporation or any subsequent owner or operator of the Republic Steel facilities in Trumbull County, Ohio, shall not cause or permit sulfur dioxide emissions from any stack at this facility in excess of the rates specified below:

(A) 2.30 and 1.00 pounds of sulfur dioxide per million BTU actual heat input from fossil fuel-fired steam-generating units numbers B001, and B002 respectively. Boiler B003 is subject to the prevention of significant deterioration regulations and will receive an emission limit consistent with best available control technology requirements that will be specified as a condition in its pending construction permit. All other fossil fuel-fired steam generator units are limited to 0.00 pounds of sulfur dioxide per million BTU.

(B) 1.44 pounds of sulfur dioxide per ton of product at the Sinter plant.

(C) 0.00 grains of hydrogen sulfide per 100 dry standard cubic feet of coke oven gas from coke ovens number 1 and 2. Coke battery number 4 is subject to the prevention of significant deterioration regulation with an emission limitation prohibiting the combustion of coke oven gas unless it contains a concentration of sulfur compounds, expressed as H_2S, of less than 35 grains per 100 dry standard cubic feet of coke oven gas produced.

(iv) [Reserved]

(v) No owner or operator of any process, unless otherwise specified in this paragraph, shall cause or permit the emission of sulfur dioxide from any stack in excess of 2.00 pounds of sulfur dioxide per million BTU of actual heat input to the process operation.

(vi) The Ohio Edison Company or any subsequent owner or operator of the Niles Power Plant located in Trumbull County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 5.41 pounds of sulfur dioxide per million BTU of actual heat input.

(vii) In lieu of meeting paragraph b(60)(vi) of this section, the Ohio Edison Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy the following equation:

$$(A)\ 0.0923\,(EL_1 + EL_2) < 1$$

where EL_i is the emission limitation (pounds per million BTU) per stack i and i is the stack number. For purpose of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1
2	2

(viii) The United States Steel Corporation or any subsequent owner or operator of the McDonald Mills in Trumbull County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the McDonald Mills in excess of 0.50 pound of sulfur dioxide per million BTU actual heat input.

(ix) The General Motors Packard Electric Division or any subsequent owner or operator of the General Motors facilities in Trumbull County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack in excess of 1.10 pounds of sulfur dioxide per million BTU actual heat input for oil-fired steam generating units.

(61) In Tuscarawas County: (i) The present or subsequent owner or operator of the Dover Municipal Power Plant in Tuscarawas County, Ohio shall not cause or permit the emission of sulfur dioxides from any stack at this facility in excess of 4.60 pounds of sulfur dioxide per million BTU actual heat input.

(ii) No owner or operator of any process shall cause or permit the emission of sulfur dioxide from any stack in excess of 37.0 pounds of sulfur dioxide per ton of actual process weight input.

(62) In Vinton County, no owner or operator of any fossil fuel-fired steam generating unit shall cause or permit the emission of sulfur dioxide from any stack in excess of 4.80 pounds of sulfur dioxide per million BTU actual heat input.

(63) In Washington County: (i) The Ohio Power Company or any subsequent owner or operator of the Muskingum River Power Plant in Morgan and Washington Counties, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at the Muskingum River Plant in excess of

6.48 pounds of sulfur dioxide per million BTU of actual heat input.

(ii) In lieu of meeting paragraph (b)(63)(i) of this section, the Ohio Power Company may elect, in accordance with the compliance schedule provisions of § 52.1882, to comply with the emission limitations which will satisfy all the following equations:

(A) $0.0773\ EL_1+0.0622\ EL_2<1$
(B) $0.0640\ EL_1+0.0902\ EL_2<1$

where EL_i is the emission limitation (pounds per million BTU) per stack i, and i is the stack number. For purposes of this regulation each stack is identified as follows:

Stack No.	Boiler identification
1	1, 2, 3, 4
2	5

(iii) The Shell Oil Company or any subsequent owner or operator of the Shell Oil facilities at Washington County, Ohio shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 2.50 pounds of sulfur dioxide per million BTU actual heat input.

(64) In Wayne County, no present or subsequent owner or operator of fossil fuel-fired steam generating units at the facilities listed below shall cause or permit emissions of sulfur dioxide in excess of 7.00 pounds of sulfur dioxide per million BTU actual heat input:

(i) Morton Salt Company.

(ii) Packaging Corporation of America.

(iii) Orrville Municipal Power Plant.

(65) In Wood County, no owner or operator of any fossil fuel-fired steam generating unit or process operation heater shall cause or permit the emission of sulfur dioxide from any stack in excess of 1.10 pounds of sulfur dioxide per million BTU actual heat input.

(i) Bowling Green University or any subsequent owner of the Bowling Green facility in Wood County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of 5.5 pounds of sulfur dioxide per million BTU actual heat input.

[39 FR 13542, Apr. 15, 1974]

Editorial Note: For Federal Register citations affecting § 52.1881, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1882 Compliance schedules.

(a) *Federal compliance schedules.* (1) Except as provided in paragraph (a)(5) of this section, the owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b), shall comply with the compliance schedule in paragraph (a)(2) of this section.

(2) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter shall take the following actions to comply with the requirements of said regulation with respect to that source no later than the date specified.

(i) 8 weeks from the date of promulgation—Submit preliminary control plans to the Administrator.

(ii) 25 weeks from the date of promulgation—Submit final control plan to the Administrator.

(iii) 34 weeks from the date of promulgation—Award contracts for emissions control systems or process modification, or issue orders for purchase of component parts to accomplish emission control or process modification and notify the Administrator in writing that such action was taken.

(iv) 52 weeks from the date of promulgation—Initiate on-site construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(v) 139 weeks from the date of promulgation—Complete construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(vi) 154 weeks from the date of promulgation—Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(3) Except as provided in paragraph (a)(5) of this section, the owner or operator of any stack venting any fossil fuel-fired steam generating unit(s)

subject to § 52.1881(b) of this chapter shall comply the applicable compliance schedule in paragraph (a)(4) of this section.

(4)(i) The owner or operator of any stack venting any fossil fuel fired steam generating unit(s) subject to § 52.1881(b) of this chapter who elects to comply with an applicable optional emission limitation specified in § 52.1881(b) of this chapter, shall notify the Administrator no later than eight weeks after the date of this promulgation of the specific emission limitations selected. Failure to select applicable optional emission limitations shall result in the facility being subject to the single uniform emission limitation for all stacks at that facility specified in § 52.1881(b). Notice received later than eight weeks after the date of promulgation shall be invalid.

(ii) The owner or operator of any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter shall notify the Administrator no later than eight weeks after the date of promulgation of his intent to utilize either low-sulfur fuel including blended or washed coal or flue gas desulfurization to comply with the requirements of said regulation.

(iii) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize low-sulfur fuel including blended or washed coal to comply with the requirements of said regulation shall take the following actions with respect to that source no later than the date specified:

(*a*) 8 weeks from the date of promulgation—Submit to the Administrator a projection for 10 years of the amount of fuel by types that will be substantially adequate to enable compliance with § 52.1881(b) of this chapter, as applicable.

(*b*) 32 weeks from the date of promulgation—Submit data demonstrating the availability of the fuel meeting the requirements projected in paragraph (a)(4)(iii)(*a*) of this section, to the Administrator.

(*c*) 36 weeks from the date of promulgation—Submit a statement to the Administrator as to whether boiler modifications will or will not be required. If modifications will be required, submit plans for such modifications.

(*d*) 50 weeks from the date of promulgation—Let contracts for necessary boiler modifications, if applicable, and notify the Administrator in writing that such action was taken.

(*e*) 60 weeks from the date of promulgation—Initiate on-site modifications, if applicable, and notify the Administrator in writing that such action was taken.

(*f*) 118 weeks from the date of promulgation—Complete on-site modification, if applicable, and notify the Administrator in writing that such action was taken.

(*g*) 122 weeks from the date of promulgation—Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

(iv) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize flue gas desulfurization to comply with the requirements of said regulations shall take the following actions with respect to the source no later than the date specified.

(*a*) 17 weeks from the date of promulgation—Let necessary contracts for construction and notify the Administrator in writing that such action was taken.

(*b*) 61 weeks from the date of promulgation—Initiate on-site construction and notify the Administrator in writing that such action was taken.

(*c*) 145 weeks from the date of promulgation—Complete on-site construction and notify the Administrator in writing that such action was taken.

(*d*) 156 weeks from the date of promulgation—Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(5)(i) None of the preceding paragraphs of this paragraph shall apply to any owner or operator of a source which is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter.

(ii) Any owner or operator of a source capable of emitting 100 tons of sulfur dioxide per year from all stacks at any facility who is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter shall so certify to the Administrator by four weeks from the date of promulgation.

(iii) Any owner or operator subject to a compliance schedule in this paragraph who elects to achieve compliance by means not covered by this paragraph may submit to the Administrator no later than six weeks from the date of promulgation a proposed alternative compliance schedule. For process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter no such compliance schedule may provide for final compliance after the final compliance date in paragraph (a)(2) of this section. For any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize low-sulfur fuel including blended or washed coal to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after final compliance date in paragraph (a)(4)(iii) of this section. For any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize flue gas desulfurization to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after the final compliance date in paragraph (a)(4)(iv) of this section.

(iv) Any owner operator subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1882(a)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(a)(2) of this chapter until the alternative schedule is approved by the Administrator.

(v) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1881(a)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(a)(4) of this chapter until the alternative schedule is approved by the Administrator.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedules in paragraph (d)(2), or (4) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(b) Federal compliance schedule for petitioners in *Buckeye Power, Inc. et al.* v. *USEPA*, No. 76-2090 et al.

(1) Except as provided in paragraph (b)(5) of this section, the owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) shall comply with the compliance schedule in paragraph (b)(2) of this section.

(2) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of the chapter shall take the following actions to comply with the requirements of said regulation with respect to that source no later than the date specified.

(i) 8 weeks from June 17, 1977: Submit preliminary control plans to the Administrator.

(ii) 25 weeks from June 17, 1977: Submit final control plan to the Administrator.

(iii) 34 weeks from June 17, 1977: Award contracts for emissions control systems or process modification, or issue orders for purchase of component parts to accomplish emission control or process modification and notify the Administrator in writing that such action was taken.

(iv) 52 weeks from June 17, 1977: Initiate on-site construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(v) 139 weeks from June 17, 1977: Complete construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(vi) 154 weeks from June 17, 1977: Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(3) Except as provided in paragraph (5) of this paragraph (b), the owner or operator of any stack venting any fossil fuel-fired steam-generating unit(s) subject to § 52.1881(b) of this chapter shall comply with the applicable compliance schedule in paragraph (b)(4) of this section.

(4)(i) The owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) or process subject to § 52.1881(b) of this chapter who elects to comply with an applicable optional emission limitation specified in § 52.1881(b) of this chapter, shall notify the Administrator no later than 17 weeks after June 17, 1977 of the specific emission limitations selected. Failure to select applicable optional emission limitations shall result in the facility being subject to the single uniform emission limitation for all stacks at that facility specified in § 52.1881(b). Notice received later than 17 weeks after June 17, 1977 shall be invalid.

(ii) The owner or operator of any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter shall notify the Administrator no later than 17 weeks after June 17, 1977 of his intent to utilize either low-sulfur fuel including blended or washed coal or flue gas desulfurization to comply with the requirements of said regulation.

(iii) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize low sulfur fuel including blended or washed coal to comply with the requirements of said regulation shall take the following actions with respect to that source no later than the date specified:

(A) 17 weeks after June 17, 1977: Submit to the Administrator a projection for ten years of the amount of fuel by types that will be substantially adequate to enable compliance with § 52.1881(b) of this chapter, as applicable.

(B) 32 weeks from June 17, 1977: Submit data demonstrating the availability of the fuel meeting the requirements projected in paragraph (a) of this section to the Administrator.

(C) 36 weeks after June 17, 1977: Submit a statement to the Administrator as to whether boiler modifications will or will not be required. If modifications will be required, submit plans for such modifications.

(D) 50 weeks from June 17, 1977: Let contracts for necessary boiler modifications, if applicable, and notify the Administrator in writing that such action was taken.

(E) 60 weeks after June 17, 1977: Initiate on-site modifications, if applicable, and notify the Administrator in writing that such action was taken.

(F) 118 weeks from June 17, 1977: Complete on-site modification, if applicable, and notify the Administrator in writing that such action was taken.

(G) 122 weeks from June 17, 1977: Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

(iv) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize flue gas desulfurization to comply with the requirements of said regulations shall take the following actions with respect to the source no later than the date specified.

(A) 17 weeks from June 17, 1977: Let necessary contracts for construction and notify the Administrator in writing that such action was taken.

(B) 61 weeks from June 17, 1977: Initiate on-site construction and notify the Administrator in writing that such action was taken.

(C) 145 weeks from June 17, 1977: Complete on-site construction and notify the Administrator in writing that such action was taken.

(D) 156 weeks from June 17, 1977: Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(5)(i) None of the preceding paragraphs of this section shall apply to any owner or operator of a source which is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter.

(ii) Any owner or operator of a source capable of emitting 100 tons of sulfur dioxide per year from all stacks at any facility who is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter shall so certify to the Administrator by four weeks from June 17, 1977.

(iii) Any owner or operator subject to a compliance schedule in this paragraph who elects to achieve compliance by means not covered by this paragraph may submit to the Administrator no later than six weeks from June 17, 1977, a proposed alternative compliance schedule. For process equipment subject to applicable subparagraphs of § 52.1881(b) of this chapter no such compliance schedule may provide for final compliance after the final compliance date in paragraph (b)(2) of this section. For any stack venting any fossil fuel-fired steam-generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize low-sulfur fuel including blended or washed coal to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after final compliance date in paragraph (b)(4)(iii) of this section. For any stack venting any fossil fuel-fired steam-generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize flue gas desulfurization to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after the final compliance date in paragraph (b)(4)(iv) of this section.

(iv) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1882(b)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(b)(2) of this chapter until the alternative schedule is approved by the Administrator.

(v) Any owner or operator of any stack venting any fossil fuel-fired steam-generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1882(b)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(b)(4) of this chapter until the alternative schedule is approved by the Administrator.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedules in paragraphs (b)(2) or (4) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(7) Section 52.1882(b)(4)(iii)(G) is suspended for Cleveland Electric Illuminating Company's Eastlake and Avon Lake facilities pending final rulemaking on the June 12, 1979, (44 FR 33712) proposed revision to the Ohio State Implementation Plan, but in no event will the suspension extend beyond the plan attainment date of June 17, 1980.

(8) Federal compliance schedules for the Toledo Edison Acme Power Plant coal fired units and the Water Street Steam Plant oil fired units is as set forth in § 52.1882(b) except that § 52.1882(b)(4)(iii)(G) is changed, for these units only, as follows: April 15, 1980: Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

(c) Federal compliance schedule for Ashland Oil Company is set forth in § 52.1882(b), except that all references to June 17, 1977 are changed to September 14, 1979.

(d) Monitoring and reporting requirement for non-simultaneous operation.

(1) Any owner or operator of any source of sulfur dioxide subject to a provision of § 52.1881 of this chapter which limits the combination of point sources which the source may operate

at any time shall, in addition to any other reporting requirements of this chapter, comply with the following:

(i) Install not later than the date by which compliance with the applicable emission limitation of § 52.1881 is required a device(s) to determine and record the time of operation of each such point source;

(ii) Retain such records for at least two years; and

(iii) Report to the Administrator within 30 days of each such occurence any period during which sources are operated in any combination not allowed by an applicable requirement of § 52.1881.

(e) (1) The Federal compliance schedule for sources in Summit County identified in § 52.1875, footnote "f" is set forth in § 52.1882(b) except that all references to June 17, 1977, are changed to January 4, 1980.

(2) The owner or operator of any fossil-fuel fired steam generating unit in Summit County with alternative emission limitations specified for one or more units at its facility in § 52.1881(b)(59) shall notify the Administrator no later than 17 weeks after January 4, 1980 of the applicable emission limitation selected.

Failure to indicate a selected emission limitation shall result in each unit at a facility being subject to the first emission limitation specified for that unit in the applicable regulation.

(f) The Federal Compliance schedule for the PPG Industries, Inc. boilers in Summit County, Ohio is set forth in § 52.1882(b) except that all references to June 17, 1977, are changed to August 25, 1980.

(g) Monitoring and reporting requirements for sources subject to reduced operating load requirements.

(1) Any owner or operator of any source of sulfur dioxide subject to a provision of § 52.1881 of this chapter which limits the operating level of any point source at any time shall, in addition to any other reporting requirements of this chapter, comply with the following:

(i) Install, not later than the date by which compliance with the applicable emission limitation of § 52.1881 is required, a device(s) to determine and record the level of operation of each such point source;

(ii) Retain such records for at least two years; and

(iii) Report to the Administrator within 30 days of each such occurrence any period during which any source is operated above the specified operating level allowed by an applicable requirement of § 52.1881.

(h) The federal compliance schedule for Ohio Power Company's Cardinal plant in Jefferson County and Muskingum River plant in Washington and Morgan Counties and Columbus and Southern Ohio Electric Company's Conesville plant in Coshocton County is set forth in § 52.1882(b) except that all references to June 17, 1977, are changed to June 19, 1980.

(i) If the owner or operator of the Columbus and Southern Ohio Electric Company's Conesville plant in Coshocton County elects to comply with the emission limitation set forth in § 52.1881(b)(21) by installing a coal-washing facility, the owner or operator shall meet the following compliance schedule in lieu of meeting the compliance schedule set forth in § 52.1882(b).

(1) 4 weeks from date of promulgation of this schedule: Notify the Administrator of intent to use washed coal to comply with sulfur dioxide emission limitations for the Conesville steam plant; submit a projection for ten years of the amount of coal necessary to enable compliance at this facility; submit the quality specifications of the fuel that is to be used. Such specifications shall include sulfur content, ash content, heat and moisture content.

(2) 8 weeks from date of promulgation of this schedule: Submit data to the Administrator demonstrating the availability of fuel necessary to achieve compliance at the Conesville steam plant. Such data shall consist of copies of signed contracts with coal suppliers and/or signed contracts with a vendor pursuant to which the utility shall construct a coal preparation facility; submit statement to the Administrator as to whether boiler modifications at the Conesville steam plant will be required for combustion of the prepared (washed) complying coal. If

oiler modifications are required, ubmit plans for such modifications.

(3) 8 weeks from date of promulgaion of this schedule: If a coal preparaion facility is to be constructed by the utility for preparing all or a portion of he fuel for combustion at the Conesville steam plant, submit to the Administrator a plant detailing actions to e taken to ensure completion of construction and startup in sufficient time to provide complying fuel for the final compliance date.

(4) 52 weeks from June 19, 1980: Complete engineering and specifications for the coal preparation facility.

(5) 64 weeks from June 19, 1980: Award contract for construction of the coal preparation facility providing incentives to the contractor to expedite the project.

(6) 108 weeks from June 19, 1980: Initiate on-site construction of the new coal preparation facility.

(7) 152 weeks from June 19, 1980: Complete construction of the coal preparation facility.

(8) 52 weeks from June 19, 1980: Submit to the Administrator a continuous monitoring plan detailing the equipment to be installed, equipment locations, and data reduction techniques as well as schedule of installation.

(9) 104 weeks from June 19, 1980: Complete installation and certification of sulfur dioxide monitors on stacks 1, 2 and 3 at the Conesville steam plant.

(10) 152 weeks from June 19, 1980: Complete any necessary boiler modifications to the Conesville steam plant units 1-4.

(11) 156 weeks (three years) from June 19, 1980: Achieve and demonstrate compliance at units 1-4 of the Conesville steam plant with the applicable emission limitation in § 52.1881 of this chapter.

(j) The Federal compliance schedule for the Portsmouth Gaseous Diffusion Plant in Pike County is set forth in § 52.1882(b) except that all references to June 17, 1977 are changed to (the effective date of promulgation).

(k) The Federal compliance schedule for the Ohio Power Company Gavin Power Plant in Gallia County is set forth in § 52.1882(b) except that all references to June 17, 1977 ar changed to August 25, 1982.

[41 FR 36339, Aug. 27, 1976, as amended a 42 FR 27592, May 31, 1977; 44 FR 47772, Aug. 15, 1979; 45 FR 30069, May 7, 1980; 45 FR 49552, July 25, 1980; 45 FR 73929, No 7, 1980; 46 FR 21769, Apr. 14, 1981; 46 FR 23927, Apr. 29, 1981; 46 FR 24948, May 4, 1981; 46 FR 49125, Oct. 6, 1981; 47 FR 32123, July 26, 1982]

§ 52.1883 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met because the State neither identified areas of the State that have the potential for violation of the national ambient air quality standards within 10 years nor provided a justification that there are no such areas in the State.

(b) The areas listed below are identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Akron-Canton Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Portage County, Stark County, Summit County.

(2) Cincinnati Interstate Air Quality Maintenance Area (Ohio Portion).

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Butler County, Clermont County, Hamilton County, Warren County.

(3) Cleveland Air Quality Maintenance Area:

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Cuyahoga County, Geauga County, Lake County, Lorain County.

(4) Columbus Air Quality Maintenance Area:

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Franklin County.

(5) Dayton Air Quality Maintenance Area:

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Clark County, Greene County, Montgomery County.

(6) Mansfield Air Quality Maintenance Area:

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Richland County.

(7) Steubenville Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Belmont County, Columbiana County, Jefferson County, Monroe County.

(8) Toledo Interstate Air Quality Maintenance Area (Ohio Portion).

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of the area:

Lucas County, Wood County.

(9) Youngstown Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of the area:

Mahoning County, Trumbull County.

[40 FR 23755, June 2, 1975, as amended at 40 FR 41952, Sept. 9, 1975; 51 FR 40678, Nov. 7, 1986]

§ 52.1884 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Ohio.

(c) All applications and other information required pursuant to § 52.21 from sources in the State of Ohio shall be submitted to the Director of the Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216 instead of the EPA Region V office.

[45 FR 52741, Aug. 7, 1980, and 46 FR 9584, Jan. 29, 1981]

§ 52.1885 Control strategy: Ozone.

(a) *Part D—Approval.* The following portions of the Ohio plan are approved:

(1) The ozone portions of rules 01, 02, 03, 04 (except the portion disapproved below), 05, 06, 07, 08, 09 (except the portions conditionally approved below) and 10 of Chapter 3745-21 of the Ohio Administrative Code.

(2) The Attainment Demonstrations for the following urban areas: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown.

(3) The Reasonable Further Progress Demonstration for the following areas: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown.

(4) The ozone nonattainment are plan for the rural nonattainmen areas.

(b) *Part D—Conditional Approval* The following portions of the Ohi plan are approved provided that th following conditions are satisfied:

(1) [Reserved]

(2) For Rule 09(R) of Chapter 3745 21 of the Ohio Administrative Cod

the State must submit to EPA by October 1, 1980 either a demonstration that allowable emissions resulting from the application of its existing rule with a 240,000 gallon per year throughput exemption for gasoline dispensing facilities are less than five percent greater than the allowable emissions resulting from the application of the CTG presumptive norm or if the demonstration indicates otherwise then the State must submit to EPA by February 15, 1981 a rule with a 120,000 gallon per year throughput exemption for gasoline dispensing facilities. This condition applies only to Akron (Portage and Summit Counties) Cleveland (Cuyahoga, Medina, Lake, Lorain and Geauga Counties) and Cincinnati (Hamilton, Warren, Clermont and Butler Counties) demonstration areas.

(3) Extension of Condition—USEPA approves the date of December 31, 1984 for satisfying the condition of approval to the ozone State Implementation Plan in (b)(2).

(4)—(6) [Reserved]

(c) *Disapproval.* USEPA disapproves the compliance schedule in revised rule 04(c)(18) of Chapter 3745-21 of the Ohio Administrative Code as it applies to facilities formerly covered by the compliance schedule in old rule 04(c)(1) of Chapter 3745-21. This disapproval in and of itself does not result in the growth restrictions of section 110(a)(2)(I).

(d) *Part D—No Action.* USEPA at this time takes no action on the vehicle inspection and maintenance (I/M) program required for those non-attainment areas which have requested an extension to demonstrate ozone attainment.

(e) *Disapproval*—On May 24, 1982, (draft) and September 23, 1982 (final) the State of Ohio submitted a revised demonstration that attempted to show attainment by December 31, 1982, of the ozone National Ambient Air Quality Standards (NAAQS) for the Cincinnati urban area. Supplemental information was submitted on November 4, 1982, and March 16, 1983. The May 24, 1982, submittal also requested that the 5-year extension for meeting the NAAQS requested on July 29, 1979, and granted by USEPA on October 31, 1980, and June 18, 1981, be rescinded for this area. The Cincinnati urban area for ozone consists of Hamilton, Butler, Clermont and Warren Counties. The attainment demonstration and rescission request are disapproved by USEPA.

(f) *Disapproval*—On June 9, 1982, (draft) and November 9, 1982 (final) the State of Ohio submitted a revised demonstration that attempts to show attainment by December 31, 1982, of the ozone National Ambient Air Quality Standards (NAAQS) for the Cleveland urban area. Supplemental information was submitted on March 8, 1983, and March 16, 1983. The June 9, 1982, and March 8, 1983, submittals also requested that the 5-year extension for meeting the NAAQS requested on July 29, 1979, and granted by USEPA on October 31, 1980 and June 18, 1981 be rescinded for this area. The Cleveland urban area for ozone consists of Cuyahoga, Geauga, Lake, Lorain, and Medina Counties. The attainment demonstration and rescission request are disapproved by USEPA.

(g) *Disapproval.* On June 28, 1983, the Ohio Environmental Protection Agency submitted a revision to the Ozone State Implementation Plan (SIP) for Volatile Organic Compounds (VOC). This revision is an alternative emission reduction plan (bubble) for the miscellaneous metal products coating lines at Senco Products, Inc., which is located in Cincinnati, Ohio. Supplemental information was submitted on October 18, 1983. As a result of USEPA's disapproval of this revision, the existing VOC rules applicable to Senco Products and contained in the Ohio SIP remain in effect (Ohio Administrative Code Rules 3745-21-09(U) and 3745-21-04(c)(28)).

(h) *Disapproval.* On December 20, 1984, the Ohio Environmental Protection Agency submitted a revision to the Ozone State Implementation Plan (SIP) for Volatile Organic Compounds (VOC). This revision request consists of a permanent relaxation of the VOC emission limits for the interior coatings used at the two metal parts coating lines at Van Leer Containers, Inc. in Cleveland, Ohio. As a result of USEPA's disapproval, the source remains subject to the control requirements of the Ohio Administrative Code (OAC) Rule 3745-21-09(U) and Rule 3745-21-04(C)(28) of the federally approved Ohio SIP.

[45 FR 72142, Oct. 31, 1980, as amended at 45 FR 72147, Oct. 31, 1980; 46 FR 24563, May 1, 1981; 47 FR 28099, June 29, 1982; 49 FR 22815, June 1, 1984; 50 FR 5250, Feb. 7, 1985; 50 FR 10965, Mar. 19, 1985; 51 FR 10211, Mar. 25, 1986; 53 FR 4023, Feb. 11, 1988]

§ 52.1886 [Reserved]

§ 52.1887 Control strategy: Carbon monoxide.

(a) Part D—Approval—The following portions of the Ohio plan are approved:

(1) The carbon monoxide portions of rules 01, 02, 03, 04 (except the portion disapproved in § 52.1877(c)), 05, 06, 07, 08, 09 (except the portions conditionally approved in § 52.1877(b)) and 10 of Chapter 3745-21 of the Ohio Administrative Code.

(2) The transportation control plans for the following urban areas: Akron (ozone component only), Canton, Cincinnati, Columbus, Dayton, Steubenville, Toledo (ozone component only), Cleveland.

(3) The carbon monoxide attainment and reasonable further progress demonstrations for the following urban areas: Cincinnati, Cleveland, Columbus and Youngstown.

(b) [Reserved]

(c) Part D—No Action—USEPA at this time takes no action on the carbon monoxide portions of the plan submitted for the urban areas of Akron and Toledo nor on the vehicle inspection and maintenance (I/M) program required for those nonattainment areas which have requested an extension to demonstrate carbon monoxide attainment.

(d) Disapproval—On June 9, 1982, (draft) and November 9, 1982, (final), The State of Ohio submitted a revised demonstration that attempts to show attainment by December 31, 1982, of the carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS) for the Cleveland urban area. Supplemental information was submitted on March 8, 1983, March 16, 1983, December 5, 1983, and May 9, 1985. The June 9, 1982, and March 8, 1983, submittals also requested that the 5-year extension for meeting the NAAQS requested on July 29, 1979, and granted by USEPA on October 31, 1980, and June 18, 1981, be rescinded for this area. The attainment demonstration and rescission request are disapproved by USEPA because they do not meet the requirements of § 51.10(b).

[45 FR 72143, Oct. 31, 1980, as amended at 45 FR 72147, Oct. 31, 1980; 49 FR 22815, June 1, 1984; 51 FR 10391, Mar. 26, 1986]

Subpart LL—Oklahoma

§ 52.1920 Identification of plan.

(a) Title of plan: "State of Oklahoma Air Quality Control Implementation Plan."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) An opinion of the State Attorney General concerning the State's legal authority in emergency episode prevention and public disclosure was submitted February 15, 1972. (Non-regulatory)

(2) Letter from State Department of Health concerning emergency episode prevention, sampling site locations and governmental cooperation was submitted on February 25, 1972. (Non-regulatory)

(3) Letter of May 4, 1972, from the State Department of Health clarifies Regulations 4, 13, 14, and Title 63 of the State air quality regulations concerning emission data, emergency episodes, compliance schedules and new source review. (Non-regulatory)

(4) Revisions concerning Regulatio
4 through 8, 13 and 15 through
were submitted by the Governor
July 14, 1972.

(5) Certification on October 4, 19
of amendments to Regulation 14
the State regulations was submitt
by the Governor. (Non-regulatory)

(6) Corrections of the plan subm
ted previously and consolidated w
submitted on October 16, 1972. (N
regulatory)

(7) Sections 16.1, 16.3, and 16.5
Regulation No. 16, "Control of Em
sions of Sulfur Compounds," the C

trol Strategy which relates to sulfur oxides control under the applicable sections of Regulation 16, and emission limitations on existing sources as adopted on December 1, 1974 and submitted by the Governor on March 4, 1975.

(8) Revision to Oklahoma Regulation 4.2 (public availability of emission data) was submitted by the Governor on October 7, 1975.

(9) Administrative revisions to Oklahoma SIP Chapter 1, Table 2, Oklahoma Ambient Air Quality Standards, Chapter 8, Source Surveillance and Enforcement System, section 8 A, B, and C relating to permits, and addition of Appendix Q, relating to Oklahoma Air Quality Standards, were submitted by the Oklahoma State Department of Health on May 16, 1975, with clarification submitted on June 17, 1977. (Non-regulatory).

(10) Consent agreements creditable as emission offsets were submitted by the Governor on March 28, 1977 as Addendum 1 to Chapter IV of the Oklahoma Air Quality Implementation Plan.

(11) Revisions of Oklahoma Regulation No. 15 for control of emissions of organic materials were adopted (effective date) December 31, 1974, and submitted by the Governor on June 16, 1975.

(12) Revision to Oklahoma Regulation No. 3, Defining Terms Used in Oklahoma Air Pollution Control Regulations, were submitted by the Governor on November 28, 1977. The revisions include amendments adopted by the State on June 2, 1974 and June 11, 1977. (See § 52.1926(a).)

(13) A general update of Chapter 7: Air Quality Surveillance, was submitted by the Governor on July 19, 1978. (Non-regulatory).

(14) Revisions to the plan for attainment of standards for ozone, carbon monoxide, and particulate matter (Part D requirements) were submitted by the Governor on April 2, 1979.

(15) A revised schedule including specific dates of the overall TSP program was submitted by the State on March 28, 1980.

(16) Revisions to Regulation No. 17, Regulation No. 14 section 14.313, Regulation No. section 14.313(b), Regulation No. 14 section 14.313(c)(1), Regulation No. 15 section 15.50, Regulation No. 15 section 15.53, and Regulation No. 3 (Part D requirements) were submitted by the Governor on April 11, 1980.

(17) Revisions to the plan for intergovernmental consultation, interstate pollution abatement, public notification, and the State Board were submitted by the Governor on April 2, 1979; a letter of commitment for new source notification was submitted by the Acting Chief of the Oklahoma Air Quality Service on March 31, 1982; a Public Notification Workplan was submitted by the Chief of the Oklahoma Air Quality Service on January 14, 1980; the Oklahoma Code of Ethics for State Officials and Employees, with a clarification letter, was submitted by the Oklahoma Commissioner of Health on March 9, 1982; and a clarification letter was submitted by the Acting Chief of the Oklahoma Air Quality Service on February 23, 1982.

(18) The Oklahoma State Implementation Plan for lead was submitted to EPA on March 5, 1980, by the Governor of Oklahoma as adopted by the State Air Quality Council on November 13, 1979. Letters of clarification dated October 19 and December 9, 1981, also were submitted.

(19) Revisions to Regulation No. 15 (i.e., the addition of sections 15.57, 15.58, and 15.59) were adopted by the State Board of Health on April 30, 1980 and submitted by the Governor on June 10, 1980.

(20) Revisions to Regulation No. 15 (i.e., revisions to sections 15.524, 15.585, and 15.59, and the addition of Sections 15.60 and 15.61) were adopted by the State Board of Health on May 9, 1981 and submitted by the Governor on September 14, 1981.

(21) A variance to the State Regulations 7 and 8 for McAlester Army Ammunition Plant located in McAlester, Oklahoma was submitted by the State on September 21, 1979 and approved by the State Board of Health on September 8, 1979.

(22) On March 7, 1980, the Governor submitted final revisions to the ambient monitoring portion of the plan.

(23) [Reserved]

(24) A revision to the Air Pollution Control Regulation 2.1, as adopted by the Oklahoma Air Quality Council on January 19, 1982, was submitted by the Governor on April 12, 1982.

(25) Revision to Oklahoma Regulation No. 1.4 Air Resources Management-Permits Required (1.4.1-1.4.3) and Major Sources—Nonattainment areas (1.4.5) was submitted by the Governor on April 12, 1982. A letter of commitment and a letter of clarification for Regulation 1.4 was submitted by the State on April 30, 1982 and December 9, 1982, respectively.

(26) On April 2, 1979, the State of Oklahoma submitted an amendment to Regulation 1.3 *Defining Terms Used in Oklahoma Air Pollution Control Regulations* (i.e., Table II) and on April 12, 1982, and on May 19, 1983, the State submitted revisions to the State's Permit Regulation 1.4 including adding 1.4.4 [Major Sources—Prevention of Significant Deterioration (PSD) Requirements for Attainment Areas] to provide for PSD new source review. A Letter of Clarification of October 6, 1982, was also submitted.

(27) Revision to Oklahoma Regulation 3.8 (Control of Emission of Hazardous Air Contaminants) submitted by the Governor on February 8, 1983.

(28) Revision to Oklahoma Regulation 3.4—Control of Emission of Sulfur Compounds was submitted by the Governor on May 19, 1983, which changed subsections 3.4(c)(1)(A)(i)(a)(3) and 3.4(c)(1)(C)(i)(a). The revision was adopted by the Oklahoma State Board of Health on May 12, 1983. A letter of clarification on subsection 3.4(c)(1)(C)(i)(a) was submitted by the State on October 14, 1983.

(29) Revision of Oklahoma Regulation 1.4—Air Resources Management—Permits Required was submitted by the Governors on May 19, 1983. A letter of clarification on subsection 1.4.1(c)(3) was submitted by the State on September 23, 1983.

(30) Revision to Oklahoma Regulation No. 1.5—Reports Required: Excess Emissions During Startup, Shutdown and Malfunction of Equipment was submitted by the Governor on February 8, 1983. Letters of clarification were submitted by the State on October 18, 1982 and May 24, 1983.

(31) Revision to Regulation 1.4 "Air Resources Management—Permits Required" and variance and extension for Mesa Petroleum Company submitted by the Governor on February 6, 1984. A letter of clarification on section 1.4.2(f) Cancellation of Authority to Construct or Modify was submitted by the State on February 17, 1984.

(32) [Reserved]

(33) Revision to Regulation 3.1 "Pertaining to the Control of Smoke, Visible Emissions and Particulates" submitted by the Governor on February 6, 1984. On May 16, 1984, the Oklahoma State Department of Health submitted a letter of clarification on Regulation 3.1.

[37 FR 10887, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1920, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1921 Classification of regions.

The Oklahoma plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Central Oklahoma Intrastate	I	III	III	III	I
Northeastern Oklahoma Intrastate	I	III	III	III	I
Southeastern Oklahoma Intrastate	III	III	III	III	III
North Central Oklahoma Intrastate	III	III	III	III	III
Southwestern Oklahoma Intrastate	III	III	III	III	III
Northwestern Oklahoma Intrastate	III	III	III	III	III
Metropolitan Fort Smith Interstate	II	III	III	III	III
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

[37 FR 10887, May 31, 1972, as amended at 45 FR 9741, Feb. 13, 1980]

§ 52.1922 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Oklahoma's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 9741, Feb. 13, 1980]

§§ 52.1923—52.1924 [Reserved]

§ 52.1925 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Oklahoma's plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lead
	Primary	Secondary	Primary	Secondary				
Central Oklahoma Intrastate (except Oklahoma and Cleveland Counties)	*a*	*a*	c	c	c	c	*a*	([illegible])
Oklahoma County	[1]d	*a*	c	c	c	c	d	([illegible])
Cleveland County	a	a	c	c	c	c	*a*	([illegible])
Northeastern Oklahoma Intrastate (except Mayes and Tulsa Counties)	*a*	*a*	c	c	c	c	*a*	([illegible])
Tulsa County	[1]d	a	c	c	c	d	d	([illegible])
Mayes County	[1]d	a	c	c	c	c	*a*	([illegible])
Southeastern Oklahoma Interstate	c	c	c	c	c	c	c	([illegible])
North Central Oklahoma Intrastate	c	c	c	c	c	c	c	([illegible])
Southwestern Oklahoma Intrastate	c	c	c	c	c	c	c	([illegible])
Northwestern Oklahoma Intrastate	c	c	c	c	c	c	c	([illegible])
Metropolitan Fort Smith Interstate	b	*a*	c	c	c	c	c	([illegible])
Shreveport-Texarkana Tyler Interstate	b	*a*	c	c	c	c	c	([illegible])

a. July 1975.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.

[1] Designated area only (see 43 FR 9027, March 3, 1978).

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1925 (1978).

[45 FR 9741, Feb. 13, 1980, as amended at 47 FR 16330, Apr. 16, 1982]

§ 52.1926 General requirements.

(a) The definition of "Best Available Control Technology (BACT)", as submitted by the Governor on November 28, 1977, is disapproved.

[43 FR 52030, Nov. 8, 1978]

§ 52.1927 Maintenance of national standards.

(a) The areas listed below which were identified by the State of Oklahoma are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of a national ambient air quality standard within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Central Oklahoma Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Oklahoma County
That part of Canadian County east of Range 6W.
That part of Cleveland County north of Township 7N.

(2) Tulsa Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Tulsa County.
That part of Rogers County south of Township 23N and west of Range 16E
That part of Wagoner County north of Township 17N and west of Range 16E
That part of Creek County north of Township 16N and east of Range 10E
That part of Osage County south of Township 23N and east of Range 10E.

[40 FR 18735, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1928 [Reserved]

§ 52.1929 Significant deterioration of air quality.

Regulation for preventing significant deterioration of air quality. The Oklahoma plan, as submitted, does not apply to certain sources in the State. Therefore the provisions of § 52.21 (b) through (w) are hereby incorporated by reference, made a part of the Oklahoma State Implementation Plan and are applicable to the following major stationary sources or major modifications:

(a) Sources permitted by EPA prior to approval of the Oklahoma PSD program for which EPA retains enforcement authority.

(b) Sources proposing to locate on lands over which Oklahoma does not have jurisdiction under the Clean Air Act to issue PSD permits.

[48 FR 38636, Aug. 25, 1983]

§ 52.1930 [Reserved]

§ 52.1931 Petroleum storage tank controls.

(a) Notwithstanding any provisions to the contrary in the Oklahoma implementation plan, the petroleum storage tanks listed in paragraphs (b) through (e) of this section shall be subject to the requirements of section 15.211 of the Oklahoma Air Pollution Control Regulations and to the monitoring, inspection, reporting, and other procedural requirements of the Oklahoma implementation plan and the Clean Air Act. The owner or operator of each affected facility shall secure compliance with section 15.211 in accordance with the schedule set forth below.

(b) Tanks 121 and 122 for crude oil storage at the Sun Oil Company refinery at Duncan, Oklahoma, shall be in compliance with section 15.211 no later than August 1, 1979.

(c) Tanks 118 and 119 for gasoline storage at the Apco Oil Corporation refinery at Cyril, Oklahoma, shall be in compliance with section 15.211 no later than February 1, 1979.

(d) Tank 286 for crude oil storage at the Continental Pipe Line Company property in Oklahoma County, Oklahoma (section 32-12N-2W) shall be in compliance with section 15.211 no later than February 1, 1979.

(e) The three 80,000 barrel capacity crude oil storage tanks at the Champlin Petroleum Company, Noble Station, 13th and Bryan Streets, Oklahoma City, Oklahoma, shall be in compliance with section 15.211 no later than September 1, 1979.

(f) Action on the part of Sun Oil Company, Apco Oil Corporation, Continental Pipe Line Company and Champlin Petroleum Company of controlling hydrocarbon emissions creditable as offsets for General Motors Corporation, Oklahoma City, Oklahoma, in no way relieves these companies from meeting all requirements under the Oklahoma Air Quality Implementation Plan or under the Federal Clean Air Act as amended.

[42 FR 63782, Dec. 20, 1977]

§ 52.1932 Control strategy and regulations: ozone.

(a) Subsection 15.27c of Revised Regulation 15 (effective date of December 31, 1974) is disapproved.

[45 FR 9741, Feb. 13, 1980, as amended at 45 FR 79052, Nov. 28, 1980]

§ 52.1933 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new sources review. The provisions of §§ 52.26, 52.27, and 52.28 are hereby incorporated and made part of the applicable plan for the State of Oklahoma.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Oklahoma.

[51 FR 22938, June 24, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart MM—Oregon

§ 52.1970 Identification of plan.

(a) Title of plan: "State of Oregon Clean Air Act Implementation Plan."

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Amendments to the implementation plan including ORS chapters 449, 192, and 340 submitted on May 3, 1972, by the Governor.

(2) Transportation control strategy for oxidants and carbon monoxide in the Oregon portion of the Portland Interstate Region submitted on October 20, 1972, by the Governor.

(3) Compliance schedules submitted on February 9, 1973, by the Department of Environmental Quality.

(4) Revision to the transportation control plan submitted on April 13, 1973, by the Governor.

(5) Compliance schedules submitted on May 30, 1973, by the Department of Environmental Quality.

(6) Compliance schedules submitted on June 6, 1973, by the Department of Environmental Quality.

(7) Compliance schedules submitted on June 22, 1973, by the Department of Environmental Quality.

(8) Compliance schedules submitted on June 25, 1973, by the Department of Environmental Quality.

(9) Compliance schedules submitted on July 31, 1973, by the Department of Environmental Quality.

(10) Compliance schedules submitted on August 3, 1973, by the Department of Environmental Quality.

(11) Request for an extension to May 31, 1976, of the attainment date for carbon monoxide and photochemical oxidants and miscellaneous additions (Nonregulatory) to the transportation control plan submitted on September 21, 1973, by the Governor.

(12) Miscellaneous additions (Nonregulatory) to the transportation control plan submitted on August 20, 1973, by the Department of Environmental Quality.

(13) Plan for maintenance of the national standards submitted on August 27, 1973, by the Department of Environmental Quality.

(14) Revision to Oregon Administrative Rules (OAR) Chapter 340, sections 25-105 through 25-130,—Hot Mix Asphalt Plans and sections 25-155 through 25-195 Kraft Pulp Mills submitted on February 8, 1973, by the Department of Environmental Quality.

(15) Change to regulations for the Lane Regional Air Pollution Authority submitted on February 13, 1973, by the Department of Environmental Quality.

(16) Special air pollution control rules for Clackamas, Columbia, Multnomah and Washington Counties and certification of the dissolution of regulations for the Columbia-Williamette Air Pollution Authority submitted on

January 17, 1974, by the Department of Environmental Quality.

(17) Revision to Oregon Administrative Rules (OAR) Chapter 340, sections 12-030 through 12-055 Civil Penalties submitted on February 19, 1975, by the Department of Environmental Quality.

(18) Oregon Revised Statute 468.095 for public availability of emission data submitted on August 1, 1975 by the Department of Environmental Quality.

(19) Indirect Source Regulation (OAR, Chapter 340 sections 20-100 through 20-135) submitted on July 24, 1975 by the Department of Environmental Quality.

(20) Indirect Source Regulation (Title 20—Indirect Sources), of the Lane Regional Air Pollution Authority Rules and Regulations, submitted November 18, 1975 by the Department of Environmental Quality.

(21) Air Contaminant Discharge Permits (Oregon Administrative Rules 340-20-140 through 340-20-185) submitted February 17, 1976.

(22) Lane Regional Air Pollution Authority Regulation, Title 22—Permits, submitted June 7, 1976.

(23) Oregon Revised Statutes sections 468.450 through 468.485 submitted on August 1, 1975 by the Department of Environmental Quality.

(24) Oregon Administrative Rules (OAR) Chapter 340, sections 26-005 through 26-025, submitted on February 17, 1976 by the Department of Environmental Quality.

(25) Request for an extension to May 31, 1978 of the attainment date for particulate matter national secondary ambient air quality standards in the Eugene/Springfield Air Quality Maintenance Area.

(26) Revision to the field burning regulations submitted on June 28, 1979; September 13, 1979, October 10, 1979; and March 11, 1980 by the Department of Environmental Quality.

(27) On June 20 and 29, 1979, the Governor submitted: (i) Carbon monoxide (CO) and ozone (O_3) attainment plans for the Oregon portion of the Portland-Vancouver AQMA, Salem, and Medford-Ashland AQMA, and (ii) a carbon monoxide (CO) attainment plan for the Eugene-Springfield AQMA.

(28) On June 20, 1979, the Governor requested an extension beyond 1982 for the attainment of carbon monoxide (CO) in Portland, Eugene-Springfield and Medford.

(29) On June 29, 1979, the Governor requested an extension beyond 1982 for the attainment of ozone (O_3) in Portland.

(30) On February 14, 1980, the State Department of Environmental Quality submitted its official response to EPA's proposed SIP actions which were published in the FEDERAL REGISTER on January 21, 1980 (45 FR 3929).

(31) On May 6, 1980, the State Department of Environmental Quality submitted recodified portions of Oregon Revised Statutes (ORS) 449 which authorize Oregon's automobile inspection/maintenance program. This submittal, requested by EPA, included chapters ORS 468.360 through 468.420, 481.190, 481.200, 483.800, 483.820, and 483.825.

(32) Revisions to the program for controlling the open burning of grass seed fields submitted on April 22, 1980 by the Department of Environmental Quality.

(33) Oregon Administrative Rules (OAR) Chapter 340, sections 24-300 through 24-350 for the vehicle inspection and maintenance program, submitted on July 26, 1980 by the Oregon Department of Environmental Quality.

(34) On December 27, 1979, the State of Oregon Department of Enrivonmental Quality submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR Part 58, Subpart C § 58.20.

(35) On December 31, 1980, the State Department of Environmental Quality submitted an Oregon Air Containment Discharge Permit No. 36-6041 Addendum No. 1 issued to Spaulding Pulp and Paper Company on December 11, 1980; Oregon Air Discharge Containment Discharge Permit No. 26-3025, issued to Industrial Laundry Dry Cleaners, Inc., on December 1980 and Oregon Environmental Quality Commission Stipulation and Consent Final Order concerning Vanply, Inc., dated December 30, 1980.

(36) On September 8, October 16, December 5, December 19, 1980, May 29, 1981 and September 9, 1981, DEQ submitted revisions to the SIP designed to satisfy the conditions of approval published by EPA on June 24, 1980 (45 FR 42265).

(37) Specific air pollution control rules for the Medford AQMA (OAR 340-30-005 through 340-30-070) submitted by the Department of Environmental Quality on May 26, 1978 and revisions submitted by the Department of Environmental Quality on February 14, 1980 (OAR-340-010 and 340-30-020), October 29, 1980 (OAR 340-30-016, 340-30-035 and 340-30-045), May 22, 1981 (OAR 340-30-010, 340-30-030 and 340-30-045) and September 9, 1981 (OAR 340-30-060).

(38) Revisions to the Lane Regional Air Pollution Authority rules submitted by the Department of Environmental Quality on March 14, 1977 (Title 22, Sections 010 and 020 and Table A), June 29, 1979 (Title 11, Section 015; Title 12, Sections 005 and 010; Title 13; Title 20, Sections 110, 115, 120, 125, 129 and 130; Title 21, Sections 010 and 030; Title 32, Sections 005 and 010; Title 33, Sections 005, 010, 015 and 065; Title 36; Title 42; Title 43; Title 44; and Title 45), November 6, 1979 (Title 22, Section 020 and Table A), and January 30, 1980 (Title 36).

(39) Conditions 5 and 6 of the Air Contaminant Discharge Permit for the Weyerhaeuser Company plant in Bly, Oregon (Permit Number: 18-0037) submitted by the Department of Environmental Quality on March 24, 1981.

(40) Condition 4, 5, and 6 of the Air Contaminant Discharge Permit for the Weyerhaeuser Company plant in North Bend, Oregon (Permit Number: 06-0007) submitted by the Department of Environmental Quality on March 27, 1981.

(41) Revisions to the agricultural open field burning rules (OAR 340-26-005 through 340-26-030) submitted by the Department of Environmental Quality on April 23, 1981 and amended "Smoke Management Program Operational Guidelines" submitted by the Department of Environmental Quality on July 8, 1981.

(42) Revisions to the rules for sulfite pulp mills (OAR 340-25-350 through 340-25-390) submitted by the Department of Environmental Quality on June 2, 1980.

(43) Revisions to the Air Quality Schedule of Civil Penalties (OAR 340-12-050) submitted by the Department of Environmental Quality on February 14, 1980.

(44) Revision to the ambient air quality standard for ozone (OAR 340-31-030) submitted by the Department of Environmental Quality on June 20, 1979.

(45) On March 24, 1981, the State Department of Environmental Quality submitted control strategies for the Portland secondary total suspended particulates nonattainment area.

(46) On March 23, 1981, the State Department of Environmental Quality submitted control strategies for the Eugene-Springfield secondary total suspended particulates nonattainment area.

(47) On October 16, 1980, the State Department of Environmental Quality submitted revisions to the control strategies for the Salem ozone nonattainment area.

(48) On August 17, 1981, the State Department of Environmental Quality submitted amendments to the operating rules for the Portland motor vehicle inspection program (OAR 340-24-300 through 350).

(49) On March 11, 1982, the State of Oregon Department of Environmental Quality submitted three revisions to the Lane Regional Air Pollution Authority rules. They are:

(i) Title 11 Definitions (Section 015.013, Air Conveying Systems),

(ii) Title 22 Permits (Section 020, Fees),

(iii) Title 32 Emission Standards (Section 800, Air Conveying System).

(50) On March 11, 1982, the State of Oregon Department of Environmental Quality submitted a revision to their State ambient air quality standard for ozone (from 0.08 ppm to 0.12 ppm.

(51) Amendments to the Air Contaminant Discharge Permit Rules submitted by the State Department of Environmental Quality on February 15, 1977 (OAR 340-20-140 through 185), July 24, 1979 (OAR 340-20-155

Table A, 165, 175 and 180) and May 22, 1981 (OAR 340-20-155 Table A).

(52) Prevention of Significant Deterioration Rules (OAR 340-31-100, 105 subsections (12), (15) and (16), 110, 115, 120 and 130) submitted by the State Department of Environmental Quality on June 20, 1979 and September 9, 1981.

(53) New Source Review Rules (OAR 340-20-220 to 275, except Section 225 subsections 7 and 11), except to the extent that they apply to marine vessel emissions, submitted by the State Department of Environmental Quality on September 9, 1981 and deletion of Special Permit Requirements for Sources Locating In or Near Nonattainment Areas (OAR 340-20-190 through 195).

(54) Plant Site Emission Limit Rules (OAR 340-20-300 through 320) submitted by the State Department of Environmental Quality on September 9, 1981 and deletion of the Plant Site Emission Limit Rules (OAR 340-20-196 and 197).

(55) On July 20, 1982 the State of Oregon Department of Environmental Quality submitted: (i) Carbon monoxide (CO) and ozone (O_3) attainment plans for Portland which build upon those plans submitted in June 1979 and (ii) a request to extend the Portland CO and O_3 attainment dates to December 31, 1985 and December 31, 1987, respectively.

(56) On August 9, 1982 the State of Oregon Department of Environmental Quality submitted a revision to remove the Mid-Willamette Valley Air Pollution Authority Regulations from the Oregon state implementation plan.

(57) Amendments to the rules for primary aluminum plants submitted by the Oregon State Department of Environmental Quality on February 21, 1974 (OAR 340-25-255 to 290), February 14, 1980 (OAR 340-25-265(4)(b) and 265(5)) and August 9, 1982 (OAR 340-25-255 to 285).

(58) Amendments to the rules for equipment burning salt laden wood waste from logs stored in salt water (OAR 340-21-020) and removal of Conditions 4, 5, and 6 of the Air Contaminant Discharge Permit for the Weyerhaeuser Company plant in North Bend, Oregon (Permit Number: 06-0007) submitted by the Oregon State Department of Environmental Quality on October 18, 1982.

(59) On August 16, 1982 the State of Oregon Department of Environmental Quality submitted a revision to OAR 340-24-300 to 24-350 (Vehicle Inspection Program Rules).

(60) On January 24, 1983 the State of Oregon Department of Environmental Quality submitted a revision to add a lead strategy to the Oregon Implementation Plan and revise the State lead ambient air quality standard to agree with the Federal standard.

(61) On December 13, 1982, the State of Oregon Department of Environmental Quality submitted two revisions to the Lane Regional Air Pollution Authority rules. The revisions are: (1) Title 32, Emission Standards (Section 800, Air Conveying Systems)—revision to compliance date and (2) Title 33, Prohibited Practices and Control of Special Classes (Section 070, Kraft Pulp Mills)—new rules.

(62) Title 22 "PERMITS" of the Lane Regional Air Pollution Authority Rules, except to the extent that the apply to marine vessel emissions an except the definitions of "dispersio technique" and "good engineerin practice stack height", and Title 3 "EMISSION STANDARDS" Section 32-100 through 32-104 of the Lane Regional Authority Rules, submitted b the State Department of Environmental Quality on March 2, 1983; clarify ing letter dated June 20, 1984.

(63) On May 6, 1983 the Oregon Department of Environmental Qualit submitted revisions to its rules as fo lows:

(A) Revisions to the "New Sour Review" rule consisting of an amende section OAR 340-20-225, specificall the deletion of the definitions of "Di persion Technique" (OAR 340-2 225(7)) and "Good Engineering Pra tice Stack Height" (OAR 340-2 225(11)), the renumbering of OA 340-20-225, the revision of the defi tion of "Nonattainment Area" (OA 340-20-225(14)), and changes to n merous references to coincide with t new numbering; the deletion of su section OAR 340-20-240(7) "Grow Increments" and the addition of a n section OAR 340-20-241 "Growth Increments;" an amended section OAR 340-20-245, specifically, revised subsections OAR 340-20-245(2)(c) and OAR 340-20-245(4), and changes to numerous references to coincide with the new numbering of the definitions in OAR 340-20-225; and amendment to subsection OAR 340-20-260(2); a revised reference in OAR 340-20-265(6) to coincide with the new numbering of a definition; and the deletion of section OAR 340-20-275 "Stack Heights".

(B) The addition of a new "Stack Heights and Dispersion Techniques" rule (OAR 340-20-340 and 345);

(C) Revisions to the "Portable Hot Mix Asphalt Plants" rule (OAR 340-25-120; and

(D) The deletion of OAR 340-22-108 "Applicability of Alternative Control Systems."

(64) Amendments to the fees in the "Air Contaminant Discharge Permit" rule (OAR 340-20-155 Table 1 and OAR 340-20-165) submitted by the Oregon Department of Environmental Quality on June 3, 1983.

(65) On October 26, 1983 and December 14, 1983, the State of Oregon Department of Environmental Quality submitted four separate revisions to their plan. On October 26, 1983, the State submitted a revised air pollution emergency episode plan (OAR 340-27-005 through 340-27-030, effective October 7, 1983), revisions to gasoline marketing rules for the Medford-Ashland ozone nonattainment area (OAR 340-22-110(1)(a), effective October 7, 1983), and a revised ozone ambient air quality standard for the Lane Regional Air Pollution Authority (Section 31-035 Ozone, effective July 12, 1983). On December 14, 1983, the State submitted revisions to the automobile inspection and maintenance program for Portland (OAR 340-24-306 through 340-24-350, effective November 18, 1983).

(66) On October 20, 1982, the State of Oregon Department of Environmental Quality submitted a revision to the Medford, Oregon, Carbon Monoxide Attainment Plan which is contained in the Oregon State Implementation Plan. This plan builds upon the plan submitted in June 1979.

(67) On April 25, 1983, the State Department of Environmental Quality submitted Section 4.10, "Medford-Ashland Air Quality Maintenance Area State Implementation Plan for Particulate Matter."

(68) Amendments to the Open Burning Rules (OAR 340-23-022 through 115), submitted by the State Department of Environmental Quality on June 5, 1984.

(69) Amendments to the Refuse Burning Equipment Limitations rules, specifically OAR 340-21-005 (1) and (4), OAR 340-21-025(2)(b), and OAR 340-21-027, were submitted by the State Department of Environmental Quality on January 16, 1984; and amendments to the Open Field Burning rules, specifically, the addition of new sections 340-21-001, 340-26-003, 340-26-031, 340-26-035, 340-26-040 and 340-21-045, revisions to sections 340-26-005, 340-26-013, 340-26-015, 340-26-010 and replacing it with a new section 340-26-010, the deletion of the existing section 340-26-011 and 340-26-020, were submitted by the State Department of Environmental Quality on March 14, 1984.

(70) On December 10, 1984, the Oregon Department of Environmental Quality submitted revisions to its Civil Penalty Rules (OAR 340-12) which deleted Sections 005 through 025 and 052 through 068; amended Sections 030, 040 and 050; and added Sections 070 and 075. Sections 035 and 045 were retained.

(71) Revisions to the Oregon State Implementation Plan were submitted by the Director on July 26, 1984 and August 7, 1984. Revisions are woodstove certification program rules (OAR 340-21-100 to 340-21-190), Oregon Revised Statutes 468.630 to 468.655 and amendment to field burning introduction (OAR 340-26-001) and repeal the field burning rules relating to tax credits (OAR 340-26-030).

(i) Incorporation by reference:

(A) Woodstove certification program rules (OAR 340-21-100 to 340-21-190) as published in the Oregon Administrative Rules, November 1984.

(B) The Oregon Revised Statutes 468.630 to 468.655 as signed by the Governor on July 5, 1984.

(C) Amendment to the field burning rule introduction (OAR 340-60-001) as adopted by the Oregon Environmental Commission on June 29, 1984.

(72) Revisions to the Oregon SIP were submitted by the Director on May 6, 1985. Revisions are: definitions to the Vehicle Inspection Operating Rules (OAR 340-24-305 (20) and (22)) and the Light Duty Motor Vehicle Emission Control Test Method (OAR 340-24-310 through 350 as amended).

(i) Incorporation by reference.

(A) Amendments to OAR (340-24-305 (20) and (22)) as adopted by the Environmental Quality Commission on November 2, 1984.

(B) Amendments to OAR 340-24-310 through 350 as amended as adopted by the Environmental Quality Commission on April 19, 1985.

(73) Amendments to the Lane Regional Air Pollution Authority Rules for Air Conveying Systems (Title 32, section 800) were submitted by the State Department of Environmental Quality on May 6, 1985.

(i) Incorporation by reference.

(A) Letter of May 6, 1985 to EPA from the Oregon Department of Environmental Quality, and Amendments to Title 32, section 800 of the Lane Regional Air Pollution Authority (LRAPA) as part of the Oregon State Implementation Plan. Revisions were approved at the LRAPA Board of Directors meeting on January 8, 1985, and approved by the Environmental Quality Commission on April 19, 1985.

(74) On September 25, 1984, the State of Oregon Department of Environmental Quality submitted an amendment to OAR 340-20-047, specifically Section 5.2 "VISIBILITY PROTECTION PLAN FOR CLASS I AREAS." On September 25, 1984, October 22, 1985, and March 19, 1986, the State of Oregon Department of Environmental Quality submitted amendments to the "New Source Review" rules, specifically, amendments to OAR 340-20-225, OAR 340-20-230(1)(e) and (f), OAR 340-20-245(5), and OAR 340-20-245(7) (submitted on 9/25/84), amendments to OAR 340-20-245(3) (submitted on 9/25/84 and 10/22/85), OAR 340-20-276 (submitted on 9/25/84), and amendments to OAR 340-20-276(1) (submitted on 10/22/85 and 3/19/86).

(i) Incorporation by reference.

(A) Letter of September 25, 1984 from the Oregon State Department of Environmental Quality to EPA Region 10. Revisions to the Oregon Administrative Rules, Chapter 340, Division 20, adopted by the Environmental Quality Commission on September 14, 1984, as follows:

(*1*) OAR 340-20-047, Section 5.2 "VISIBILITY PROTECTION PLAN FOR CLASS I AREAS," except for "Reserved" subsections 5.2.5 "Best Available Retrofit Technology," 5.2.6 "Integral Vistas," and 5.2.7 "Control Strategies;"

(*2*) OAR 340-20-225 "Definitions" as amended;

(*3*) OAR 340-20-230 "Procedural Requirements," subsection (1) "Information Required," paragraphs (e) and (f) as amended;

(*4*) OAR 340-20-245 "Requirements for Sources in Attainment or Unclassified Areas (Prevention of Significant Deterioration)," subsection (5) "Air Quality Monitoring," paragraph (a) as amended;

(*5*) OAR 340-20-245 "Requirements for Sources in Attainment or Unclassified Areas (Prevention of Significant Deterioration)," subsection (7) "Sources Impacting Class I areas" as amended.

(B) Letter of October 22, 1985 from the Oregon State Department of Environmental Quality to EPA Region 10. Revisions to the Oregon Administrative Rules, Chapter 340, Division 20, adopted by the Environmental Quality Commission on September 27, 1985, as follows:

(*1*) OAR 340-20-245 "Requirements for Sources in Attainment or Unclassified Areas (Prevention of Significant Deterioration)," subsection (3) "Exemption for Sources Not Significantly Impacting Designated Nonattainment Areas," paragraph (a) as amended.

(C) Letter of March 19, 1986 from the Oregon State Department of Environmental Quality to EPA Region 10. Revisions to the Oregon Administrative Rules, Chapter 340, Division 20, adopted by the Environmental Quality Commission on November 22, 1985, as follows:

(*1*) OAR-340-20-276 "Visibility Impact" as amended.

(75) A revision to the Oregon State Implementation Plan was submitted by the Director of Department of Environmental Quality (DEQ) on October 9, 1985, and supplemented with technical appendices on February 13, 1986. This revision adds a mandatory vehicle Inspection and Maintenance (I/M) program to the existing Medford Carbon Monoxide plan, modifies the Oregon I/M regulations for underhood inspections by eliminating tampering checks of 1974 and older model vehicles and removes the existing section 110(a)(2)(i) construction moratorium.

(i) Incorporation by reference.

(A) A letter dated October 9, 1985 from Department of Environmental Quality to EPA Region 10.

(B) A letter dated February 13, 1986 from Department of Environmental Quality to EPA Region 10.

(C) OAR 340-24-301 (Boundary Designations), OAR 340-24-320 (Light Duty Motor Vehicle Emission Control Test Criteria), and OAR 340-24-325 (Heavy Duty Motor Vehicle Emission Control Test Criteria), which were adopted by the Environmental Quality Commission on September 27, 1985.

(D) October 20, 1982 letter to EPA from the Department of Environmental Quality and section 4.9.3.2 (Emission Reduction Necessary for Attainment) of the Control Strategy for Medford-Ashland Air Quality Maintenance Area 1982 State Implementation Plan Revision for Carbon Monoxide as adopted by the Environmental Quality Commission on October 15, 1982.

(E) Section 4.9.5.1 (Reasonable Further Progress) of the Control Strategy for Medford-Ashland Air Quality Maintenance Area 1982 State Implementation Plan Revision for Carbon Monoxide as adopted by the Environmental Quality Commission on October 15, 1982.

(F) Section 4.9.5.5 (Conformity of Federal Actions) of the Control Strategy for Medford-Ashland Quality Maintenance Area 1982 State Implementation Plan Revision for Carbon Monoxide as adopted by the Environmental Quality Commission on October 15, 1982.

(G) Section 4.9.4 (Control Strategy) of the Control Strategy for Medford-Ashland Air Quality Maintenance Area 1982 State Implementation Plan Revision for the Carbon Monoxide as adopted by the Environmental Quality Commission on October 15, 1982.

(76) Revisions to the Oregon State Implementation Plan were submitted by the Director of the Department of Environmental Quality on August 5, 1985. Revisions are: extension of existing emission standards for veneer dryers (OAR 340-25-315) to include sources located in special problem areas, and the deletion of any references to the implementation of compliance dates which have already passed.

(i) Incorporation by reference.

(A) Letter of August 5, 1985, from the Department of Environmental Quality to EPA and Amendments to OAR 340-25-315, Veneer and Plywood Operations Rule, as adopted by the Environmental Quality Commission on July 19, 1985.

(77) On February 28, 1985, the Director of the Oregon Department of Environmental Quality submitted a request to EPA to redesignate the Medford-Ashland Air Quality Maintenance Area (AQMA) from nonattainment to attainment for the primary O_3 standard and a plan to maintain that standard.

(i) Incorporation by reference:

(A) Letter of February 28, 1985, from Oregon State Department of Environmental Quality to EPA Region 10.

(B) Oregon Administrative Rules, Chapter 340, Division 20, Section 4.8 "Medford-Ashland Air Quality Maintenance Area Plan for Maintenance of Ozone Standard," adopted by the Oregon Environmental Quality Commission on January 25, 1985.

(78) On May 30, 1986, the State of Oregon Department of Environmental Quality submitted a new rule, OAR 340-20-037 "Stack Heights and Dispersion Techniques" and requested the deletion of the existing rules, OAR 340-20-340 and 345 "Stack Heights and Dispersion Techniques". On October 23, 1987, the State of Oregon De-

partment of Environmental Quality submitted a letter indicating how this new rule will be implemented until a definition of the terms "emission limitation" and "emission standard" is added.

(i) Incorporation by reference.

(A) Letter of May 30, 1986, from the Oregon State Department of Environmental Quality to EPA Region 10. Revisions to the Oregon Administrative Rules, Chapter 340, Division 20, Section 037 "Stack Heights and Dispersion Techniques", adopted by the Environmental Quality Commission on April 25, 1986.

(B) Letter of October 23, 1987, from the Oregon State Department of Environmental Quality to EPA Region 10.

(79) Revisions to the Oregon State Implementation Plan were submitted by the Director of the Department of Environmental Quality of October 15, 1986. Revisions are: OAR 340-24-330 (Light Duty Motor Vehicle Emission Control Cutpoints or Standards) and OAR 340-24-335 (Heavy Duty Gasoline Motor Vehicle Emission Control Emission Standards).

(i) Incorporation by reference. (A) Letter dated October 15, 1986 from the Director of the Department of Environmental Quality to EPA Region 10.

(B) OAR 340-24-330 (Light Duty Motor Vehicle Emission Control Cutpoints or Standards) as adopted by the Environmental Quality Commission on September 12, 1986.

(C) OAR 340-24-335 (Heavy Duty Gasoline Motor Vehicle Emission Control Emission Standards) as adopted by the Environmental Quality Commission on September 12, 1986.

(80) On May 23, 1986, the State of Oregon Department of Environmental Quality submitted a new paragraph (12), of OAR 340-20-165 "Fees", as a revision to the State Implementation Plan. This paragraph allows regional air pollution authorities to set a permit fee schedule for sources within their jurisdiction.

(i) Incorporation by reference.

(A) Letter dated May 23, 1986, from the State of Oregon Department of Environmental Quality to EPA Region 10. Oregon Administrative Rule, Chapter 340, Division 20, Section 340-20-165 "Fees", paragraph (12), adopted by the Environmental Quality Commission on March 14, 1986.

(81) Oregon Administrative Rules (OAR) Chapter 340, Division 20, Sections 200 through 215 (Conflict of Interest) submitted by the Director of the Department of Environmental Quality on May 30, 1986. These rules apply only to the Department of Environmental Quality and the Environmental Quality Commission, and not to the Lane Regional Air Pollution Authority and its Board of Directors.

(i) Incorporation by reference.

(A) Letter dated May 20, 1986, from the State of Oregon Department of Environmental Quality to EPA Region 10. Oregon Administrative Rules, Chapter 340, Division 20, Sections 200, 205, 210, and 215 (Conflict of Interest) which was adopted by the Environmental Quality Commission on April 25, 1986.

(82) On November 24, 1986 and supplemented on January 8, 1987, the Director of the Department of Environmental Quality submitted the Grants Pass carbon monoxide control strategy as a revision to the Oregon State Implementation Plan.

(i) Incorporation by reference.

(A) Letter dated November 24, 1986 from the Director of the Department of Environmental Quality to EPA Region 10.

(B) State of Oregon Clean Air Act Implementation Plan Section 4.11 Grants Pass Carbon Monoxide Control Strategy as adopted by the Environmental Quality Commission on October 24, 1986.

(ii) Additional information.

(A) Letter dated January 8, 1987 from the Director of the Department of Environmental Quality to EPA Region X.

(B) Technical appendices for the Grant Pass Carbon Monoxide Control Strategy, Appendix 4.11.1 through 10.

[37 FR 10888, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.1970, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1971 Classification of regions.

The Oregon plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Portland Interstate	I	IA	III	I	I
Southwest Oregon Intrastate	II	III	III	III	III
Northwest Oregon Intrastate	III	III	III	III	III
Central Oregon Intrastate	II	III	III	III	III
Eastern Oregon Intrastate	II	III	III	III	III

[37 FR 10888, May 31, 1972, as amended at 45 FR 42278, June 24, 1980]

§ 52.1972 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Oregon's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the carbon monoxide and ozone attainment plans satisfy all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted in the following sections. In addition, continued satisfaction of Part D requirements for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979. Additional RACT requirements must be submitted by each subsequent January for sources covered by CTGs issued by the previous January. Further, new source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V of the emission offset interpretive rule published on January 16, 1979 (44 FR 3274) are met.

[38 FR 16168, June 20, 1973, as amended at 45 FR 42278, June 24, 1980; 47 FR 28373, June 30, 1982]

§ 52.1973 Attainment dates for national standards.

The following table presents required attainment dates for national standards. These dates reflect the information presented in Oregon's plan.

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_2		NO_2	CO	O_3
	1st [1]	2nd [2]	1st [1]	2nd [2]			
Portland Interstate AQCR:							
1. Portland-Vancouver (Oregon portion)	a	f	a	b	b	h	i
2. Salem	a	b	a	b	b	e	e
3. Eugene-Springfield AQMA	a	i	a	b	b	h	b
4. Remainder of AQCR	c	c	a	b	b	d	c
Southwest Oregon Intrastate AQCR:							
1. Medford-Ashland AQMA	j	k	a	b	b	i	e
2. Grants Pass AQMA	c	c	a	b	b	l	b
2. Remainder of AQCR	c	c	a	b	b	b	b
Northwest Oregon Intrastate AQCR	a	b	a	b	b	b	b
Central Oregon Intrastate AQCR	a	c	a	b	b	b	b
Eastern Oregon Intrastate AQCR	c	c	a	b	b	b	b

1. 1st—Primary.
2. 2nd—Secondary.

a. Air designated as having air quality levels presently below the primary standards or area is unclassifiable.

b. Area designated as having air quality levels presently below secondary standards or area is unclassifiable.

c. May, 1975.
d. May 31, 1976.
e. Dec. 31, 1982.
f. Dec. 31, 1986.
g. Reserved.
h. Dec. 31, 1985.
i. Dec. 31, 1987.
j. Dec. 31, 1984.
k. Dec. 31, 2000.
l. Dec. 31, 1990.

[45 FR 42278, June 24, 1980, as amended at 53 FR 10331, Mar. 31, 1988]

§ 52.1974 Transportation and land use controls.

(a) To complete the requirements of Subpart L of this chapter the Governor of Oregon must submit to the Administrator no later than April 1, 1974, the necessary adopted regulations needed to implement the inspection/maintenance and retrofit programs.

[38 FR 30827, Nov. 7, 1973, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1975 Compliance schedules.

(a) The requirements of § 51.262(a) are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are contained in the Oregon Administrative Rules, Chapter 340, unless otherwise indicated.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance dat
Crown Zellerbach Corp	Wauna	OAR 340 Sec. 25-170.	Aug. 2, 1972	Immediately	May 1, 1975.
Georgia Pacific Corp	Toledo	......do	......do	......do	Jan. 1, 1975.
Hanna Nickel Co	Riddle	OAR 340 Sec. 25-415.	Jan. 26, 1973	......do	July 1, 1974.

(c) *Federal compliance schedules.* (1) Except as provided in paragraph (c)(11) of this section the owner or operator of any primary aluminum plant subject to the following emission limiting regulation in the Oregon implementation plan shall comply with the compliance schedule in paragraph (c)(2) of this section: Oregon Administrative Rules, chapter 340, section 25-265 (app. 2-A of the Oregon Implementation Plan).

(2) Compliance schedule for primary aluminum plants:

(i) December 1, 1973—Submit to the Administrator a final control plan which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) January 31, 1974—Negotiate and sign all necessary contracts for emission control systems or process modifications or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) December 9, 1974—Complete onsite construction or installation of emission control equipment or process modification.

(iv) January 1, 1975—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(3)-(5) [Reserved]

(6) Except as provided in paragraph (c)(11) of this section, the owner or operator of any sulfite pulp mill subject to the following emission-limiting reg-

ulation in the Oregon Implementation Plan shall comply with the compliance schedule in paragraphs (c) (7) and (8) of this section, as applicable, of this paragraph: Oregon Administrative Rules, chapter 340, section 25-36 (app. 2-A of the Oregon Implementation Plan).

(7) Compliance schedule for sulfite mills of 110 tons or greater of air dried unbleached pulp per day:

(i) October 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) November 1, 1973—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) May 20, 1974—Complete onsite construction or installation of emission control equipment or process modification.

(iv) July 1, 1974—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(8) Compliance schedule for sulfite mills of less than 110 tons of air dried unbleached pulp per day:

(i) October 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) February 1, 1974—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) August 1, 1974—Complete onsite construction or installation of emission control equipment or process modification.

(iv) November 1, 1974—Achieve compliance with the applicable regulations, and certify such compliance to the Administrator.

(9) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by the final compliance date in the applicable compliance schedule. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(10) Within five days after the deadline for completing increments (c)(8) (ii) and (iii) of this section, in a compliance schedule above, certify to the Administrator whether the increment has been met.

(11) (i) The requirements of paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(12) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

[38 FR 16168, June 20, 1973, as amended at 38 FR 22746, Aug. 23, 1973; 38 FR 24342, Sept. 7, 1973; 40 FR 33216, Aug. 7, 1975; 51 FR 40676, 40677, Nov. 7, 1986]

§ 52.1976 Control strategy: Particulate matter—Portland interstate air quality control region.

(a) Oregon administrative rules (OAR), chapter 340, sections 26-005 through 26-030, as adopted by the Environmental Quality Commission on July 15, 1977 and submitted to EPA on October 6, 1977 is disapproved since it is inconsistent with the requirements of Subpart G of this chapter. The requirements of Subpart G are not met in that the control strategy contained in the October 6, 1977 submittal is not adequate for the attainment and maintenance of the particulate matter national ambient air quality standards. Therefore, the regulation identified in 40 CFR 52.1970(c)(24) remains the applicable regulation.

[43 FR 36931, Aug. 21, 1978, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.1977—52.1980 [Reserved]

§ 52.1981 Extension.

(a) The Administrator hereby extends for 12 months the attainment date for the national standards for carbon monoxide in the Portland Interstate Air Quality Control Region.

(b) The Administrator hereby extends the attainment date for carbon monoxide in the Eugene-Springfield and Portland nonattainment areas to December 31, 1985 and in the Medford-Ashland nonattainment area to beyond December 31, 1982 but before December 31, 1987. The actual attainment date for the Medford-Ashland area is to be identified in the transportation control plan alternatives analysis due to be submitted by July 1, 1980. No further analysis is required for the Eugene-Springfield area.

(c) The Administrator hereby extends the attainment date for ozone in the Portland nonattainment area to December 31, 1987.

(d) The Administrator hereby extends to July 1, 1980, the statutory timetable for submission of Oregon's plan for the attainment and maintenance of the secondary standards for total suspended particulate matter in Portland, Springfield-Eugene, and Medford-Ashland non-attainment areas in Oregon.

[38 FR 30827, Nov. 7, 1973, as amended at 44 FR 44498, July 30, 1979; 44 FR 53161, Sept. 13, 1979; 47 FR 44263, Oct. 7, 1982]

§ 52.1982 Control strategy: Ozone.

(a) Part D—Approval. (1) The Salem/ Portland and Medford/Ashland area attainment plans are approved as satisfying Part D requirements with the following clarification as to their implementation:

(i) DEQ source test method 24 will be used in conjunction with method 25 for determining compliance of surface coating operations.

(ii) The phrase "in most cases" in rule OAR 340-22-107(1) applies to approximately 1,200 gasoline service stations where compliance is determined by observing whether specific emission control equipment, selected from a specific list on file at DEQ, is in place and operating properly.

[46 FR 54940, Nov. 5, 1981]

§§ 52.1983—52.1984 [Reserved]

§ 52.1985 Rules and regulations.

(a) *Part D—Approval.* The Oregon VOC regulations (OAR 340-22-100 through 220) covering Groups I and II Control Technique Guidelines are approved with the following clarifications:

(1) The paper coating rule is RACT. Due to enforceability questions introduced by the last sentence of OAR 340-22-170(5) EPA is approving this rule with the exception of the last sentence.

(2) EPA approval of OAR 340-22-170(5) is with the understanding that DEQ source test method 24 will be used to determine compliance.

(3) EPA approval of OAR 340-22-170(5) is with the understanding that compliance determinations will be based on methods approved as part of the SIP.

(b) *Section 128—State Boards.* EPA approval of OAR 340-20-200 through 215 is only for its application to the Department of Environmental Quality and the Environmental Quality Commission. The Oregon SIP is disapproved for failing to satisfy the requirements of section 128 of the Act with respect to (and only with respect to) the Lane Regional Air Pollution Authority and its Board of Directors.

[46 FR 54940, Nov. 5, 1981, as amended at 47 FR 10534, Mar. 11, 1982; 52 FR 32012, Aug. 25, 1987]

§ 52.1986 Maintenance of national standards.

(a) The areas listed below, which were determined by the State of Oregon, are hereby identified by the Administrator pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Portland-Vancouver Interstate Air Quality Maintenance Area (Oregon Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, carbon monoxide, and photochemical oxidants.

(ii) Geographical composition of area:

The Columbia Region Association of Governments 1970 Portland-Vancouver Metropolitan Transportation Study Area. (A complete geographical description of the area is presented in a map of the 1970 Portland-Vancouver Metropolitan Study Area prepared by the Columbia Region Association of Governments and available for inspection at the Freedom of Information Center, U.S. EPA, Room 206, 401 M Street SW., Washington, D.C.; the U.S. EPA Oregon Operations Office, 1234 SW. Morrison Street, Portland, Oregon; and the U.S. EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington.)

(2) Eugene-Springfield Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Lane Regional Air Pollution Authority Control Area "C". (This area is defined in the Lane Regional Air Pollution Authority Rules and Regulations dated August 2, 1972, and available for inspection at the Freedom of Information Center, U.S. EPA, Room 206, 401 M Street SW., Washington, D.C.; the U.S. EPA Oregon Operations Office, 1234 SW Morrison Street, Portland, Oregon; and the U.S. EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington.)

(3) Medford-Ashland Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

The Bear Creek Urban Regional Land Use Planning Area. (A complete geographical description of the area is presented in a map of the Bear Creek Urban Regional Land Use Planning Area prepared by the county engineer of Jackson County, Oregon (revised 1973) and is available for inspection at the Freedom of Information Center, U.S. EPA, Room 206, 401 M Street SW., Washington, D.C.; the U.S. EPA Oregon Operations Office, 1234 SW. Morrison Street, Portland, Oregon; and the U.S. EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington.)

[40 FR 18735, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.1987 Significant deterioration of air quality.

(a) The Oregon Department of Environmental Quality rules for preventing significant deterioration of air quality (OAR 340-20-220 through 270, OAR 340-20- 340 and 345, and OAR 340-31- 100, 105 subsections (12), (15) and (16), 110, 115, 120 and 130) are approved as meeting the requirements of Part C.

(b) The Lane Regional Air Pollution Authority rules for permitting new and modified major stationary sources (Title 22 PERMITS) are approved, in conjunction with the Oregon Department of Environmental Quality rules, in order for the Lane Regional Air Pollution Authority to issue prevention of significant deterioration permits within Lane County.

[48 FR 49022, Oct. 24, 1983, as amended at 49 FR 36843, Sept. 20, 1984]

§ 52.1988 Air contaminant discharge permits.

(a) Emission limitations and other provisions contained in Air Contaminant Discharge Permits issued by the State in accordance with the provisions of the federally-approved Air Contaminant Discharge Permit Rules (OAR 340-20-140 through 185), New Source Review Rules (OAR 340-20-220 through 276), Stack Heights and Dispersion Techniques Rules (OAR 340-20-37), and Plant Site Emission Limit

Rules (OAR 340-20-300 through 320), except Alternative Emission Limits (Bubble) for sulfur dioxide or total suspended particulates which involve trades were the sum of the increases in emissions exceeds 100 tons per year, shall be the applicable requirements of the federally-approved Oregon SIP (in lieu of any other provisions) for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP.

(b) Emission limitations and other provisions contained in Air Contaminant Discharge Permits issued by the Lane Regional Air Pollution Authority in accordance with the provisions of the federally-approved Permits rule (Title 22) and Plant Site Emission Limit rules (Title 32, Sections 32-100 through 104) and in conjunction with the federally-approved DEQ rules, except alternative emission limits (bubbles) for sulfur dioxide or total suspended particulates which involve trades where the sum of the increases in emission exceeds 100 tons per year, shall be the applicable requirements of the federally-approved Oregon SIP (in lieu of any other provisions) for the purposes of Section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP.

[49 FR 36844, Sept. 20, 1984, and 53 FR 1020, Jan. 15, 1988]

Subpart NN—Pennsylvania

§ 52.2020 Identification of plan.

(a) Title of plan: "Pennsylvania's Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Regulations 121, 123, 127, 129, 131, 135, 137, 139, and 141 of the Pennsylvania Code of Regulations submitted March 17, 1972, by the Pennsylvania Department of Environmental Resources.

(2) Air Quality Data for three additional months regarding Reading Air Basin SO, strategy submitted March 27, 1972, by the Pennsylvania Department of Environmental Resources.

(3) Miscellaneous non-regulatory additions and clarifications to the plan submitted on May 4, 1972, by the Pennsylvania Department of Environmental Resources.

(4) "An Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards for Allegheny County, Commonwealth of Pennsylvania, 1980", and Article XX (which replaces Article XVIII), which were submitted on December 24, 1980.

(5) Non-regulatory additions to plan regarding Allegheny County Source Surveillance regulations submitted on June 20, 1972, by the Pennsylvania Department of Environmental Resources.

(6) Miscellaneous non-regulatory additions to the plan submitted August 14, 1972, by the Pennsylvania Department of Environmental Resources.

(7) Revision to Philadelphia Air Management Services regulations submitted November 3, 1972, by the Governor.

(8) Revision to compliance schedules for Clairton Coke Works in Allegheny County submitted December 14, 1972, by the Governor.

(9) Transportation Control Plan for Southwest Pennsylvania and Metropolitan Philadelphia AQCR's submitted April 13, 1973, by the Governor.

(10) [Reserved]

(11) Amendments to Philadelphia Air Management Services regulation number 3 submitted April 15, 1974, by the Governor.

(12) Amendments to Philadelphia Air Management Services regulations numbers 1, 2 and 11 submitted May 28, 1974, by the Governor.

(13) Process factor for glass production furnaces submitted on December 26, 1974, by the Pennsylvania Department of Environmental Resources.

(14) Amendments to Chapters 123 (section 123.24) and 139 (section 139.13), controlling zinc smelter operations; submitted on August 7, 1975 by the Pennsylvania Department of Environmental Resources.

(15) A revision submitted by the Commonwealth of Pennsylvania on August 11, 1976 amending Title 3 of the Philadelphia Code, Subsection 3-

103, Enforcement; Subsection 3-301, Powers and Duties of the Department of Public Health; and Subsection 3-305 Orders.

(16) Revisions submitted by the Commonwealth of Pennsylvania on December 11, 1972 amending regulations for the powers and duties of the Department of Environmental Resources, the Environmental Quality Board and the Environmental Hearing Board.

(17) Amendment to Article XVIII, Rules and Regulations of the Allegheny County Health Department, Sections 1800 (Definitions) and 1813 (Air Pollution Emergency Episode Regulations). These amendments were submitted on May 15, 1978 by the Department of Environmental Resources.

(18) Amendments to Title 3, Section 3-207 (Sale of Fuel Oil) of the Philadelphia Code pertaining to Philadelphia County and to Title 25, Part I, Subpart C, Article III, Chapter 121 (Definitions) and Chapter 123 (Standards for Contaminants, Sulfur Compound Emissions) of the Pennsylvania Code pertaining to Bucks, Chester, Delaware, and Montgomery Counties submitted on July 31, 1978 by the Governor.

(19) Amendments to Chapters 121 (§ 121.1), 123 (§§ 123.1, 123.13, 123.44), 127 (§§ 127.41 through 127.52, inclusive), 129 (§§ 129.15 and 129.16), and 139 (§§ 139.51, 139.52, 139.53 and 139.61), dealing with the control of coke oven battery operations; submitted on June 30, 1978 by the Pennsylvania Department of Environmental Resources.

(20) Amendments to Chapters 121 (§ 121.1), 123 (§§ 123.22(b) and 123.45), and 139 (§§ 139.3, 139.4, 139.13, 139.16, 139.101, 139.102, 139.103, 139.104 and 139.105), dealing with sulfur dioxide emissions from fuel-burning installations, only as they apply to sources in the Erie air basin; submitted on April 24, 1979 by Governor Thornburgh.

(21) A revision submitted by the Commonwealth of Pennsylvania on September 20, 1978 to clarify terms and intent of Chapter 121 (relating to general provisions), Chapter 123 (relating to standards for contaminants) and Chapter 129 (relating to standards for sources).

(22) The "1979 State Implementation Plan (SIP) Submission for the Attainment of the Photochemical Oxidant Standard in Pennsylvania" and "Regulations for Volatile Organic Compounds" amending Chapters 121, 129, and 139 of the Pennsylvania Code submitted on April 24, 1979, by the Governor.

(23) Transportation elements of the SIP for Philadelphia, Pittsburgh, Allentown-Bethlehem-Easton, and Scranton areas and commitment to implement vehicle inspection and maintenance in Lehigh and Northampton Counties submitted on June 7, 1979, by the Governor.

(24) Transportation element of the SIP for the Wilkes-Barre area submitted on June 8, 1979, by the Secretary of the Pennsylvania Department of Environmental Resources.

(25) Total Suspended Particulate, State Implementation Plan for Pennsylvania, submitted on June 12, 1979, by the Secretary of the Pennsylvania Department of Environmental Resources.

(26) Special Permit Requirements for Sources Locating in or Significantly Impacting Nonattainment Areas and a revision of Sampling and Testing methods for total suspended particulate amending Chapters 121, 127, and 139 of the Pennsylvania Code submitted on June 12, 1979, by the Secretary of the Pennsylvania Department of Environmental Resources.

(27) Transportation element for the Harrisburg area submitted on June 13, 1979, by the Secretary of the Pennsylvania Department of Environmental Resources.

(28) Allegheny County Volatile Organic Compound Regulations amending Chapters I, II, and V of Allegheny County Regulations submitted on June 13, 1979, by the Secretary of the Pennsylvania Department of Environmental Resources.

(29) Documentation of the status of transportation/air quality measures in a letter of August 20, 1979 from the Lackawanna County Planning Commission.

(30) Information from the Southwestern Pennsylvania Regional Planning Commission of September 17, 1979 on the calculation of emission es-

timates and the status of certain transportation measures.

(31) Reclassification of several transportation measures in the transportation/air quality study for the Allentown-Bethlehem-Easton area, submitted by the Commonwealth on November 19, 1979.

(32) Substantiation of TSP planning and attainment schedules submitted by the Commonwealth on November 28, 1979.

(33) A revision submitted by the Commonwealth of Pennsylvania on August 11, 1976 consisting of an amendment to the Pennsylvania Air Resources Regulations, Chapter 129, Standards for Sources, which relates to open burning.

(34) A revision was submitted by the Commonwealth of Pennsylvania on January 25, 1980, which is intended to establish an Ambient Air Quality Monitoring Network for the Commonwealth of Pennsylvania and the City of Philadelphia.

(35) Amendments to the Pennsylvania Air Resources Regulations, consisting of the addition of regulations for alternative emission reduction limitations (Sections 128.11 through 128.13 for Andre Greenhouses, Inc., and Section 128.14 for the 3M Co.), submitted on April 16, 1981.

(36) A revision submitted by the Commonwealth of Pennsylvania on April 9, 1981 providing for attainment of the SO_2 NAAQS in portions of Armstrong County, Pennsylvania.

(37) A revision submitted by the Commonwealth of Pennsylvania on June 5, 1980, consisting of amendments to Philadelphia's Air Management Regulations II and III, allowing a limiting resumption of industrial coal burning.

(38) A revision submitted by the Commonwealth of Pennsylvania on December 24, 1980 which is intended to establish an Ambient Air Quality Monitoring Network for Allegheny County.

(39) Amendments consisting of minor regulatory changes to Article III of the Pennsylvania Rules and Regulations for Air Resources governing Volatile Organic Compounds (VOC) emissions was submitted by the Commonwealth of Pennsylvania on December 16, 1980.

(40) A revision submitted by the Commonwealth of Pennsylvania on November 10, 1980 dividing the Beaver Valley Air Basin into an Upper Beaver Valley Air Basin and Lower Beaver Valley Air Basin and revising chapters 121 and 123.

(41) Revisions submitted by the Commonwealth of Pennsylvania on April 13, 1981, July 13, 1981 and August 17, 1981 to correct the conditionally approved and unapproved portions of Pennsylvania 1979 State Implementation Plan.

(42) A document entitled "Attainment Demonstration for Total Suspended Particulate in Nonattainment Area #3, Based Upon Alternate Emission Reduction Plan for Shenango, Inc." in Allegheny County, including the new section 902 of Article XX, submitted by the Commonwealth of Pennsylvania on May 18, 1981.

(43) Amendments to Air Management Regulations II and III, with supporting documents, submitted by Governor Dick Thornburgh on December 8, 1981, allowing the continued burning of anthracite coal in existing space heating units currently burning coal.

(44) [Reserved]

(45) Revisions submitted to the Commonwealth of Pennsylvania on February 23, 1982 to correct the conditionally-approved portions of the 1979 State Implementation Plan, specifically the two asphalt regulations in Allegheny County.

(46) A revision submitted by the Acting Secretary of the Pennsylvania Department of Environmental Resources on December 9, 1981, which would add an expanded ridesharing program in the Delaware Valley.

(47) Revisions submitted on July 27, 1981, August 12, 1981, and September 15, 1981, by the Pennsylvania Department of Environmental Resources (DER), which will limit the automobile emission Inspection and Maintenance Program to the urbanized areas of the Pittsburgh and Allentown-Bethlehem-Easton regions.

(48) Volatile Organic Compound (VOC) regulations, a generic VOC bubble regulation, Continuous Emission Monitoring (CEM) regulations

and procedures, and Alternative Opacity Limit regulations submitted by Pennsylvania to EPA on July 13, 1981, August 17, 1981, August 26, 1981, and September 4, 1981.

(49) Group IIVOC regulations, a revision of the Air Episode Regulations, and an increase in Permit Fees, for Allegheny County, Pa. These revisions were submitted by Secretary Peter S. Duncan on February 23, 1982.

(50) Regulations and supporting documents implementing an SO_2 bubble plan for the U.S. Steel Homestead and Edgar Thomson Works in Allegheny County, PA. submitted by DER Secretary Peter S. Duncan on September 16, 1982.

(51) Regulations and supporting documents implementing a TSP bubble plan for U.S. Steel Corporation's Fairless Works in Fairless Hills, PA., submitted by the Secretary of the Pennsylvania Department of Environmental Resources on January 6, 1983.

(52) Regulations and supporting documents implementing a TSP bubble plan for Bethlehem Steel Corporation's plant in Bethlehem, Pa., submitted by the Secretary of the Pennsylvania Department of Environmental Resources on December 30, 1982.

(53) Pennsylvania submittal dated September 23, 1982 deleting more stringent sulfur in residual oil requirements for the Upper Beaver Valley Air Basin which would have become effective August 1, 1982 and adding provisions for public notification of air quality levels.

(54) Revisions submitted by the Commonwealth of Pennsylvania on June 8, 1982 consisting of alternative emission reduction plans for Scott Paper Company in Chester, PA, Arbogast and Bastian, Inc., in Allentown, PA, and J. H. Thompson, Inc., in Kennett Square, PA.

(55) Regulations and supporting documents implementing an SO_2 bubble plan for U.S. Steel Corporation's Fairless Works in Fairless Hills, PA was submitted by the Secretary of the Pennsylvania Department of Environmental Resources on July 7, 1983.

(56) A State Implementation Plan for the control of lead (Pb) emissions submitted on September 30, 1982 by the Secretary of Environmental Resources.

(57) A revision submitted by the Commonwealth of Pennsylvania on July 28, 1983, and clarified by letters dated October 26, 1983, February 7, 1984 and June 15, 1984 enables the Commonwealth of Pennsylvania to implement and enforce the prevention of significant deterioration (PSD) regulations.

(58) Revision to Article XX of the Allegheny County SIP were submitted by the Secretary of the Pennsylvania Department of Environmental Resources on September 6, 1983.

(59) A State Implementation Plan for the control of lead (Pb) emissions in Allegheny County was submitted on September 6, 1983 by the Secretary of Environmental Resources.

(60) Amendments consisting of minor regulatory changes to Article III of the Air Resources Regulations that amend Chapters 121, 123, 127, 129, 131, 139, and 141 was submitted by the Commonwealth of Pennsylvania on September 23, 1983.

(61) A State Implementation Plan for the control of lead (Pb) emissions in Philadelphia was submitted on August 29, 1983 and May 15, 1984 by the Secretary of the Pennsylvania Department of Environmental Resources.

(62) A State Implementation Plan for the control of Lead (Pb) emissions in Pennsylvania was submitted on June 8, 1984 by the Secretary of the Pennsylvania Department of Environmental Resources.

(63) The 1982 Ozone and Carbon Monoxide plan, except for the Inspection and Maintenance portion and the Perchloroethylene Dry Cleaning regulation, for the Southeastern, Southwestern, and Allentown-Bethlehem-Easton areas submitted by the Commonwealth on June 30, 1982 and October 24, 1983.

(64) [Reserved]

(65) An amendment to Philadelphia Air Management's Regulation VII, submitted by the Secretary of the Pennsylvania Department of Environmental Resources on March 28, 1986. The amendment exempts fuel burning units installed before June 1, 1984, from the provisions of Regulation VII

(Control of Emissions of Nitrogen Oxides from Stationary Sources).

(i) *Incorporation by reference.*

(A) Air Management RegulationVII, Control of Emission of Nitrogen Oxides from Stationary Sources, adopted on April 9, 1985.

(66) A revision to the Pennsylvania State Implementation Plan adopting a Motor Vehicle Emissions Inspection and Maintenance Program submitted by the Secretary of the Pennsylvania Department of Environmental Resources on June 24, 1985 and an amendment submitted March 13, 1986 by the Chief, Division of Air Resource Management, Bureau of Air Quality Control, Pennsylvania Department of Environmental Resources.

(i) *Incorporation by reference.*

(A) Title 75, sections 4703 (a) and (h) and 4706 of the Purdon's Pennsylvania Consolidated Statutes Annotated and Title 67, Pennsylvania Code sections 175.41, 177.21, 177.31, 177.32, 177.35, 177.39 and 177.61.

(B) Bureau of Air Quality Control, Department of Environmental Resources, State Implementation Plan, Revision for Ozone for I/M, dated June 17, 1985 and the letter to EPA, dated March 13, 1986.

(67) Amendment to section 512.G. Extensions, of Article XX, Rules and Regulations of the Allegheny County Health Department providing authority to grant compliance date extensions for surface coating and graphic arts sources, submitted by DER Secretary Nicholas DeBenedictis on August 13, 1985.

(i) *Incorporation by reference.*

(A) Letter of August 13, 1985 to EPA from the Pennsylvania Department of Environmental Resources, and Appendix 22, Amendment to section 512.G., Allegheny County portion of the Pennsylvania State Implementation Plan (extension of final air pollution compliance dates for surface coating and graphic arts) adopted by the Board of County Commissioners of June 27, 1985.

(68) Revision to the Pennsylvania State Implementation Plan dated February 13, 1985, which implements two VOC offset transactions between Paramount Packaging Corporation and National Can Corporation and between Fres-co Systems USA, and National Can Corporation.

(i) *Incorporation by reference.*

(A) Pennsylvania Department of Environmental Resources, Order for the External Transfer of Banked Emissions #85-524, signed on March 1, 1985.

(B) Pennsylvania Department of Environmental Resources, Order for the External Transfer of Banked Emissions #85-525, signed on March 1, 1985.

(C) Letter dated August 21, 1985, from the Department of Environmental Resources to the National Can Corporation.

(ii) *Additional material.*

(A) Narrative submittal dated February 13, 1985, from the Department of Environmental Resources to EPA.

(B) Letter dated April 25, 1986, from the Department of Environmental Resources to EPA.

(69) Revision to the Allegheny County portion of the Pennsylvania State Implementation Plan was submitted by the Commonwealth on February 3, 1987.

(i) *Incorporation by reference.*

(A) Amendment to the Allegheny County portion of the Pennsylvania SIP for Air Pollution Control, Appendix 23, section 533, Abrasive Blasting, approved on October 9, 1986.

(B) Letter dated February 3, 1987, from the Commonwealth of Pennsylvania to EPA.

[38 FR 16567, June 22, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2020, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2021 Classification of regions.

The Pennsylvania plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone (hydrocarbons)
Metropolitan Philadelphia Interstate	I	I	III	I	I
Northeast Pennsylvania-Upper Delaware Valley Interstate	I	II	III	III	III
South Central Pennsylvania Intrastate	I	II	III	III	III
Central Pennsylvania Intrastate	I	III	III	III	III
Southwest Pennsylvania Intrastate	I	I	III	I	I
Northwest Pennsylvania-Youngstown Interstate	I	II	III	III	III

[37 FR 10889, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 45 FR 33627, May 20, 1980]

§ 52.2022 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Pennsylvania's plan for attainment and maintenance of the secondary standards for sulfur oxides and particulate matter in the Southwest Pennsylvania Intrastate Region and in Pennsylvania's portion of the Metropolitan Philadelphia Interstate Region.

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Southwest Pennsylvania Intrastate Region, for 1 year the attainment date for the national standard for photochemical oxidants in the Southwest Pennsylvania Intrastate Region, and for 1 year the attainment date for the national standards for carbon monoxide in the Pennsylvania portion of the Metropolitan Philadelphia Interstate Region.

(c) The Administrator hereby extends for 18 months, until July 1, 1980, the statutory timetable for submission of Pennsylvania's plan for attainment and maintenance of the secondary national ambient air quality standard for particulate matter in Pennsylvania's portion of the Metropolitan Philadelphia Interstate Air Quality Control Region.

(d) The Administrator hereby extends the attainment date for the national ambient air quality standard for ozone to December 31, 1987 for the following counties:

Allegheny, Armstrong, Beaver, Butler, Washington, Westmoreland, Bucks, Chester, Delaware, Montgomery, Philadelphia, Lehigh, and Northampton.

(e) The Administrator hereby extends the dates for attainment of the national ambient air quality standard for carbon monoxide to December 31, 1987 in Philadelphia County and to December 31, 1985 in Allegheny County.

[37 FR 10889, May 31, 1972, as amended at 38 FR 32893, Nov. 28, 1973; 45 FR 33627, May 20, 1980; 46 FR 43141, Aug 27, 1981; 50 FR 7777, Feb. 26, 1985]

§ 52.2023 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Pennsylvania's plan for attainment and maintenance of the national standards.

(b) With respect to the transportation control plan submitted on April 13, 1973, the Administrator approves the inspection program, with the exceptions set forth in §§ 52.2030, 52.2031, and 52.2036 and promulgates rectifying provisions in §§ 52.2038 and 52.2053.

(c) With respect to the transportation control plan submitted on April 13, 1973, the Administrator approves the mass transportation improvements and automobile-use disincentives, with the exceptions set forth in §§ 52.2030, 52.2031, and 52. 2036, and promulgates rectifying provisions in §§ 52.2040, 52.2041, and 52.2043 through 52.2053.

(d) With respect to the transportation control plan submitted on April 13, 1973, the Administrator disapproves the plan for vehicle exclusion on selected days.

(e) With the exceptions set forth in this subpart, the Administrator approves Pennsylvania's plan for the attainment and maintenance of the national ambient air quality standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below.

(f) In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(g) New source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V of the Emission Offset Interptive Rule, published on January 16, 1979, 44 FR 3274, are met.

(h) The Administrator withdraws its prior approval (see Subpart NN 52.2020 (b)) of the following odor emission control regulations:

(1) 35 P.S. § 4003(4) (deletion of "odor" from definition);

(2) 35 P.S. § 4003(5) (deletion of reference to odors from definition);

(3) Philadelphia Air Management Code § 3-102(3) (deletion of "odors" from definition);

(4) Philadelphia Air Management Code § 3-102(25) (deletion of definition);

(5) 25 Pa. Code § 121.1 (deletion of reference to odors from definitions);

(6) 25 Pa. Code § 129.14(b)(2) (open burning operations);

(7) Regulation V (Phil. AMC) Section X—Odors.

(8) 25 PA Code § 123.31—Odor Emissions;

(9) Regulation I (Phila. Air Management Code), Section I (A)(3)—Air Contaminant (deletion of reference to odors in definition);

(10) Regulation I (Phila. AMC), Section I (A)(4)—Air Pollution (deletion of reference to odors in definition);

(11) Regulation I (Phila. AMC), Section I (A)(5)—Air Pollution Nuisance (deletion of reference to odors in definition);

(12) Regulation I (Phila. AMC), Section I (A)(25)—Odor (deletion of definition);

(13) Regulation I (Phila. AMC), Section X—Compliance with regulations of Pennsylvania Air Quality Board (deletion of references to odors);

(14) Regulation XI (Phila. AMC), Section III (C)—Odor Emissions.

[38 FR 32893, Nov. 28, 1973, as amended at 45 FR 33627, May 20, 1980; 51 FR 18440, May 20, 1986]

§ 52.2024 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public as specified in the applicable plan concerning emissions from any source subject to emission limitations, which are part of the approved plan may request that the appropriate Regiona Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measure that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) o this section, the owner or operator o the source shall maintain records o the nature and amounts of emission from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emissio limitations or other control measure that are part of the plan. The information recorded shall be summarize and reported to the Regional Adminis

trator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34537, Sept. 26, 1974, as amended at 40 FR 55333, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2025 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since section 5-1104 of the Philadelphia Home Rule Charter could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 5-1104 is disapproved.

[40 FR 55333, Nov. 28, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.2026—52.2029 [Reserved]

§ 52.2030 Source surveillance.

(a) [Reserved]

(b) The requirements of § 51.212 of this chapter are not met since:

(1) The plan provisions for periodically testing stationary sources are inadequate in the areas under the jurisdiction of the Pennsylvania Department of Environmental Resources.

(2) The plan does not provide for stationary sources to be periodically inspected in the jurisdiction of the Allegheny County Health Department.

(c) The requirements of § 51.212 of this chapter are not met because the plan does not provide procedures for obtaining and maintaining data on actual emission reductions achieved as a result of implementing transportation control measures.

[37 FR 10889, May 31, 1972, as amended at 37 FR 15088, July 27, 1972; 38 FR 12701, May 14, 1973; 38 FR 16567, June 22, 1973; 51 FR 40677, Nov. 7, 1986]

§ 52.2031 Resources.

(a) The requirements of § 51.280 of this chapter are not met since the manpower projections for the Pennsylvania Bureau of Air Quality and Noise Control are not consistent with the projected workloads.

(b) The requirements of § 51.280 of this chapter are not met because the plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

[37 FR 10889, May 31, 1972, as amended at 38 FR 16568, June 22, 1973; 51 FR 40677, Nov. 7, 1986]

§ 52.2032 Intergovernmental cooperation.

(a) The requirements of Subpart M of this chapter are not met because the plan does not identify other State or local agencies or their responsibilities for implementing and carrying out designated portions of the plan.

(b) The requirements of Subpart M of this chapter are not met because the plan does not indicate that Pennsylvania will transmit to the neighboring States of Maryland, New York, and West Virginia data about factors which may significantly affect air quality in those States.

[38 FR 16568, June 22, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2033 Control strategy: Sulfur oxides.

(a) The revision to the control strategy resulting from the modification to the emission limitation applicable to the sources listed below or the change in the compliance date for such sources with the present emission limitation is hereby approved. All regulations cited are air pollution control regulations of the State, unless otherwise noted. (See § 52.2036 for compliance schedule approvals and disapprovals pertaining to one or more of the sources listed below.)

Source	Location	Regulation involved	Date of submittal
Clairton Coke and Coal Works (U.S. Steel).	Allegheny County.	Section 1809 (Article XVIII).	12/14/72
Industrial Boilers (U.S. Steel).	......do	......do	Do.

[38 FR 7459, Mar. 22, 1973]

§ 52.2034 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in the Pennsylvania plan, except where noted.

[See footnotes at end of table]

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants
	Primary	Secondary	Primary	Secondary			
Metropolitan Philadelphia Interstate:							
a. Philadelphia	[1]a	[3]d	[1]c	[5]b	[5]b	[7]*e*	[1]g
b. Remainder of AQCR (Pennsylvania portion)	[1]a	[3]d	[1]a	[5]b	[5]b	[7]b	[1]g
Northeast Pennsylvania Interstate:							
a. Allentown-Bethlehem-Easton Air Basin	[1]c	[1]g	[4]a	[1]b	[5]b	[5]b	[5]g
b. Reading Air Basin	[1]a	[1]g	[4]a	[1]b	[5]b	[5]b	[5]c
c. Scranton-Wilkes-Barre Air Basin	[1]a	[1]g	[4]a	[1]b	[5]b	[5]b	[5]c
d. Remainder of AQCR (Pennsylvania portion)	[1]a	[1]b	[4]a	[1]b	[5]b	[5]b	[5]c
South Central Pennsylvania Intrastate:							
a. Lancaster Air Basin	[1]c	[1]g	[1]a	[1]b	[5]b	[5]b	[5]c
b. Harrisburg Air Basin	[1]c	[1]g	[1]a	[1]b	[5]b	[5]b	[5]c
c. York Air Basin	[1]c	[1]g	[1]a	[1]b	[5]b	[5]b	[5]c
d. Remainder of AQCR	[1]a	[1]b	[1]a	[1]b	[5]b	[5]b	[5]c
Central Pennsylvania Intrastate:							
a. Johnstown Air Basin	[1]c	[1]g	[5]a	[5]b	[5]b	[5]b	[5]c
h. City of Williamsport	[1]a	[1]g	[5]a	[5]b	[5]b	[5]b	[5]c
c. City of Altoona	[1]a	[1]g	[5]a	[5]b	[5]b	[5]b	[5]c
d. Northumberland County	[1]a	[1]b	[5]b	[5]h	[5]b	[5]b	[5]c
e. Snyder County	[1]a	[1]b	[5]b	[5]h	[5]b	[5]b	[5]c
g. Remainder of AQCR	[1]a	[1]b	[5]a	[5]b	[5]b	[5]b	[5]c
Southwest Pennsylvania Intrastate:							
a. Monongahela Valley	[1]c	[3]g	[1]a	[5]b	[5]b	[5]b	[7]g
b. Allegheny County	[1]h	[5]h	[1]h	[5]h	[5]b	[8]*f*	[7]g
c. Lower Beaver Valley Air Basin	[1]c	[3]g	[1]c	[5]c	[5]b	[5]b	[7]g
d. Armstrong County	[1]a	[5]b	[1]c	[1]c	[5]b	[5]b	[7]g
e. Remainder of AQCR	[1]a	[5]b	[1]a	[5]b	[5]b	[5]b	[7]g
Northwest Pennsylvania Interstate:							
a. Erie Air Basin	[1]c	[1]g	[5]a	[5]b	[5]b	[5]b	[5]c
b. Mercer County	[1]c	[1]g	[5]a	[5]b	[5]b	[5]b	[7]g
c. Upper Beaver Valley Air Basin	[1]c	[5]g	[1]c	[5]c	[5]b	[5]b	[5]c
d. Warren County	[1]a	[1]b	[5]h	[5]h	[5]b	[5]b	[5]c
e. Remainder of AQCR (Pennsylvania portion)	[1]a	[1]b	[5]a	[5]b	[5]b	[5]b	[5]c

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable:

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. December 31, 1982.
d. 18-month extension to submit plan granted.
e. December 31, 1987.
f. December 31, 1985.
g. December 31, 1987.
h. As of December 31, 1979 no plan with attainment dates received; attainment of primary standards cannot be later than December 31, 1982.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Clean Air Act prior to the 1977 amendments to the Act remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2034 (1978) and are represented by the following superscripts:

1. July 1975.
2. 5 years from plan approval or promulgation.

3. 18-month extension granted.
4. Air quality levels below primary standards.
5. Air quality levels below secondary standards.
6. July 31, 1975.
7. May 31, 1976.
8. May 31, 1977.

[45 FR 33627, May 20, 1980, as amended at 46 FR 43141, Aug. 27, 1981; 46 FR 43424, Aug. 28, 1981; 46 FR 61268, Dec. 16, 1981; 50 FR 7777, Feb. 26, 1985]

§ 52.2035 [Reserved]

§ 52.2036 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted. (See §§ 52.2026, 52.2027, and 52.2033 for control strategy revision approvals and disapprovals pertaining to one or more of the sources listed below.)

Source	Location	Regulation involved	Date issued by State or local agency
Clairton Coke and Coal Works (U.S. Steel)	Allegheny County	Section 1809 (Article XVIII)	
Coke ovens (Schedule A)			Sept. 25, 1972.
Coke quenching (Schedule D)			Oct. 20, 1972.
Coke-oven gas combustion (Schedule B), as to the final compliance date only.			Do.
Industrial Boilers (U.S. Steel)	Allegheny County	Section 1809 (Article XVIII)	Do.

Schedule C, except that such approval for Clairton Boiler No. 1 and Irvin Boiler No. 7 relates to the final compliance date only.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Philadelphia Electric Co	Philadelphia County.	Section 30201(a) and 30207(i)(a) (Philadelphia Air Management Code); Air Management Regulation III, Section IA.	Jan. 25, 1974	Jan. 1, 1974	Mar. 31, 1974.
Rohm and Haas Co	do	do	Jan. 11, 1974	do	Apr. 30, 1974.
Atlantic Richfield Co	Philadelphia	Section 30201(a) and 30207(i)(a) (Philadelphia Air Management Code); Air Management Regulation III, Section IA.	Jan. 31, 1974	Feb. 1, 1974	May 1, 1974.
Union Electric Steel Corp., State order No.: 73-659-V.	Burgettstown	Section 123.1	July 2, 1973	Immediately	July 1, 1974.
P. H. Glatfelter Co., State order No.: 73-668-V.	Spring Grove	123.11, 123.41	July 5, 1973	do	May 22, 1975.
P. H. Glatfelter Co., State order No.: 73-665-V.	do	123.11, 123.41	July 2, 1973	do	Sept. 1, 1974.
D. M. Stoltfus & Son, Inc., State order No. : 73-621-V.	Fulton Township	123.1, 123.13	Apr. 17, 1973	do	Do.
Rohrer's Quarry, Inc., State order No.: 73-624-V.	Penn Township	123.1	Apr. 12, 1973	do	Jan. 18, 1975.
Michael Berkowitz Co., Inc., State order No.: 73-677-V.	South Union Township.	123.41	July 18, 1973	do	Sept. 2, 1974.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance
Keystone Portland Cement Co., State order No.: 73-651-V as amended July 23, 1973.	East Allen Township.	123.13	June 22, 1973	do	Dec. 1, 197
Ruane Coal & Coke Co., State order No.: 73-683-V.	Georges Township.	123.1, 123.2, 123.13, 123.21, 123.31, 123.41.	July 27, 1973	do	Dec. 31, 19
Metropolitan Edison Co., State order No.: 73-723-V State.	Cumru Township.	123.11, 123.22, 123.41.	Aug. 22, 1973	do	Mar. 1, 197
Armstrong Cork Co., State order No.: 73-696-V as amended Nov. 19, 1973.	Lancaster	123.13, 123.41	Aug. 17, 1973	do	Sept. 19, 1
Armstrong Cork Co., State order No.: 73-694-V as amended Nov. 19, 1973.	do	123.13, 123.41	Aug. 22, 1973	do	July 19, 19
Armstrong Cork Co., State order No.: 73-695-V as amended Nov. 19, 1973.	do	123.13, 123.41	Aug. 16, 1973	do	Sept. 19, 1
Armstrong Cork Co., State order No.: 73-692-V.	do	123.13, 123.41	Aug. 17, 1973	do	Dec. 19, 1
Keystone Lime Co., State order No.: 73-716-V.	Elk Lick Township.	123.1, 123.13	do	do	May 1, 197
FMC Corp., American Viscose Division, State order No.: 73-712-V as amended Sept. 18, 1973.	Lewistown	123.11	Aug. 15, 1973	do	Sept. 18, 1
Narehood Brothers, Inc. State order No.: 73-735-V.	Tyrone	123.1	Aug 14, 1973	do	Sept. 1, 19
General Refractories Co., State order No.: 73-709-V as amended Sept. 11, 1973.	Frankstown Township.	123.13	do	do	Dec. 31, 1
Bethlehem Steel Corp., State order No.: 73-757-V.	Steelton	123.41	Sept. 24, 1973	do	May 22, 1
Bethlehem Steel Corp., State order No.: 73-756-V.	do	123.1, 123.13, 123.41.	Sept. 26, 1973	do	July 1, 197
Allentown Portland Cement Co., State order No.: 73-768-V.	Maidencreek Township.	123.13	Sept. 24, 1973	do	Dec. 31, 1
Meehan Oil Co., Inc., State order No.: 73-774-V.	Tullytown Borough.	129.1, 129.2, 129.3.	Sept. 27, 1973	do	Sept. 15,
Fasson Division of Avery Products, Inc., State order No.: 73-780-V.	Quakertown	123.31	Oct. 1, 1973	do	May 31, 1
Carpentertown Coal & Coke Co., State order No.: 73-682-V.	Boggs Township.	123.13, 123.31, 123.41.	July 26, 1973	do	Dec. 31, 1
Pennsylvania Power & Light Co., State order No.: 73-680-V.	Holtwood	123.11	July 25, 1973	do	May 1, 19
Bethlehem Mines Corp., State order No.: 73-786-V.	North Anville Township.	123.13, 123.41	Oct. 5, 1973	do	Mar. 31, 1
Gunnison Brothers, Inc., State order No.: 73-802-V.	Girard	123.11	Oct. 17, 1973	do	Dec. 31, 1
Witco Chemical Corp., State order No.: 73-789-V.	Petrolia	123.11, 123.13, 123.21, 123.22, 123.12.	Oct. 12, 1973	do	Mar. 19, 1
GAF Corporation, State order No.: 73-792-V.	Erie	123.31	do	do	Nov. 30, 1
Corning Glass Works, State order No.: 73-795-V.	Wellsboro	123.13, 123.41	do	do	Dec. 31, 1
Bethlehem Mines Corp., State order No.: 73-744-V as amended Oct. 4, 1973.	Bethlehem	123.12, 123.31, 123.41	Sept. 4, 1973	do	Apr. 30, 1
Gold Bond Building Products, Division of National Gypsum Co., State order No.: 73-794-V.	Bellefonte	123.1	Oct. 9, 1973	do	Sept. 15,
Truxell Foundry Co., State order No.: 73-870-V.	Jeannette	123.13	Dec. 12, 1973	do	Dec. 31, 1
Mount Pleasant Foundry, State order No.: 73-869-V.	Mount Pleasant	123.13	Dec. 14, 1973	do	Do.
Reading Metals Refining Corp., State order No.: 74-893-V.	Ontelaunee Township.	123.13, 123.41	Feb. 1, 1974	do	May 21, 1

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Witco Chemical Co., State order No.: 74-891-V.	Bradford	123.13	Jan. 29, 1974	do	Mar. 19, 1975.
Witco Chemical Co., State order No.: 74-890-V.	do	123.41	do	do	Do.
Witco Chemical Co., State order No.: 74-898-V.	do	123.11, 123.22	Jan. 31, 1974	do	Do.
Witco Chemical Co., State order No.: 74-897-V.	do	123.13	Jan. 30, 1974	do	Do.
Sun Oil Co., State order No.: 74-921-V.	Marcus Hook	123.41	Feb. 27, 1974	do	Sept. 19, 1974.
B. F. Goodrich Tire Co., State order No.: 74-942-V.	Upper Providence Township.	123.11, 123.22, 123.41.	do	do	Sept. 30, 1974.
Firestone Tire and Rubber Co., State order No.: 73-831-V.	Lower Pottsgrove Township.	123.22, 123.31, 123.41.	Nov. 19, 1973	do	May 31, 1975.
American Can Co., State order No.: 73-848-V.	Falls Township	123.31	Nov. 21, 1973	do	June 1, 1975.
Glass Containers Corp., State order No.: 73-850-V.	Marienville	123.13	do	do	June 30, 1975.
National Can Corp., State order No.: 73-833-V.	Falls Township	123.1, 123.31, 123.41.	do	do	May 31, 1975.
Medusa Corp., State order No.: 73-819-V.	Wampum	123.13, 123.41	Nov. 7, 1973	do	Apr. 1, 1975.
Scott Paper Co., State order No.: 73-830-V.	Eddystone	123.22	Nov. 19, 1973	do	May 31, 1975.
Scott Paper Co., State order No.: 73-829-V.	Chester City	123.22	do	do	Do.
Synthane Taylor Corp., State order No.: 73-834-V.	West Norriton Township.	123.31(a)(1), 123.31(b)	Nov. 23, 1973	do	Do.
Westinghouse Electric Corp., State order No.: 73-818-V.	Sharon	123.11	Nov. 7, 1973	do	Feb. 1, 1975.
Sun Oil Co., State order No.: 73-812-V.	East Whiteland Township.	129.2, 129.3	Nov. 14, 1973	do	Dec. 1, 1974.
Pennzoil Co., State order No.: 73-820-V.	Rouseville	123.11, 123.22, 123.41.	Nov. 8, 1973	do	Jan. 1, 1975.
Koppers Co., Inc., State order No.: 73-734-V-A.	Petrolia	123.13	Nov. 9, 1973	do	Mar. 18, 1975.
Valley Grove School District, State order No.: 73-840-V.	Rocky Grove	123.11, 123.41	Nov. 19, 1973	do	Sept. 1, 1974.
Bethlehem Steel Corp., State order No.: 73-758-V.	Steelton	123.41	Sept. 24, 1975	do	May 22, 1975.
Molybdenum Corp. of America, State order No.: 73-658-V.	Canton Township.	123.13, 123.21	July 2, 1973	do	Dec. 31, 1974.
Washington School District, State order No.: 73-660-V.	Washington	123.41	do	do	May 22, 1975.
Fasson, Division of Avery Products Corp., State order No.: 73-780-V-A.	Quakertown	123.31	Oct. 24, 1973	do	May 31, 1975.
Charmin Paper Products Co., State order No.: 73-783-V.	Mehoopany	123.11, 123.22	Sept. 20, 1973	do	June 13, 1975.
Brockway Clay Co., State order No.: 73-743-V.	Brockway	123.11, 123.22, 123.41.	Aug. 29, 1973	do	Nov. 30, 1974.
Penn-Dixie Cement Corp., State order No.: 73-742-V.	West Winfield	123.13	do	do	Oct. 5, 1974.
Philco-Ford Corp., State order No.: 73-737-V.	Watsontown	123.11, 123.41	Aug. 28, 1973	do	Dec. 31, 1974.
Philco-Ford Corp., State order No.: 73-738-V.	do	123.13	Aug. 27, 1973	do	Aug. 31, 1974.
Whitehall Cement Mfg. Co., State order No.: 73-722-V.	Whitehall Township.	123.13	Aug. 22, 1973	do	July 31, 1974.
Mackintosh-Hemphill, Division of E. W. Bliss Co., State order No.: 73-727-V.	Midland	123.13	do	do	July 1, 1975.
Metropolitan Edison Co., State order No.: 73-724-V.	Portland	123.11, 123.22, 123.41.	do	do	Mar. 5, 1975.
General Electric Co., Transportation System Business Div., State order No.: 73-801-V.	Erie	123.22	Oct. 17, 1973	do	July 1, 1975.
Glass Containers Corp., State order No.: 73-739-V.	Parker	123.13	Aug. 28, 1973	do	June 30, 1975.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Paterson Parchment Paper Co., State order No.: 73-826-V.	Bristol Township	123.22	Nov. 14, 1973	do	May 15, 1975.

ALLEGHENY COUNTY

Source	Location	Article XVIII section—	Date of adoption	Effective date	Final compliance date
United States Steel Corp., county docket No.: 141 P 131-8.	Clairton	1810.1A	July 3, 1973	July 13, 1973	May 15, 1975.
Phillips Petroleum Co., county compliance order No.: 177 P 3027.	Indianola	1810.1B	June 20, 1973	June 30, 1973	Dec. 4, 1974.
Carnegie-Mellon University county compliance order No.: 14c 352-354.	Schenly Park	1809.3A, 1809.3B.	May 17, 1973	May 27, 1973	Oct. 1, 1974.
American Oil Co., county compliance order No.: 191 P.	Hays	1810.1B	June 20, 1973	June 30, 1973	Nov. 30, 1974.
Vulcan Materials Co., county compliance order No.: 121 c 156.	Neville Island	1809.3B.2	Mar. 20, 1973	Mar. 30, 1973	Aug. 1, 1974.
United States Steel Corp., county compliance order No.: 140 P 125.	do	1810.2A, 1810.2B.	Sept. 4, 1973	Sept. 14, 1973	May 15, 1975.
United States Steel Corp., county compliance orders Nos.: 138 P 124 and 139 P 126.	do	1810.1, 1809.4	June 21, 1973	July 1, 1973	May 31, 1975.
Armour & Co., county compliance order No.: 186 P 3528.	Pittsburgh	1809.1A, 1809.8	Aug. 6, 1973	Aug. 16, 1973	Oct. 31, 1974.
Ashland Petroleum Co., county compliance order No.: 100 P 356.	Floreffe	1809.1B, 1810.1D.	May 21, 1973	May 31, 1973	Jan. 31, 1975.
H. J. Heinz Co., county compliance order No.: 45 c 186-187.	Pittsburgh	1809.1A, 1809.3A, 1809.3B.	Jan. 15, 1973	Jan. 25, 1973	July 31, 1974.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Armco Steel Corp. State Order No. 73-859-V.	Butler Township	123.1	Nov. 30, 1973	immediately	Jan. 1, 1975.
Braeburn Alloy Steel Division, Continental Copper & Steel Industries, Inc. State Order No. 73-868-V.	Braeburn	123.13	Dec. 12, 1973	do	Dec. 31, 1974.
Committee on Masonic Homes, State Order No. 73-823-V.	Elizabethtown	123.11, 123.41	Nov. 9, 1973	do	Oct. 31, 1974.
Continental Can Co., Inc., State Order No. 73-846-V.	Oil City	123.13, 123.31,123.41.	Nov. 26, 1973	do	June 30, 1975.
G. & W. H. Corson, Inc., State Order No. 73-867-V.	Whitemarsh Township.	123.13, 123.41	Dec. 11, 1973	do	May 15, 1975.
Glass Containers Corp., State Order No. 73-849-V.	Knox	123.13	Nov. 30, 1973	do	June 30, 1975.
B. F. Goodrich Tire Co., State Order No. 74-941-V.	Upper Providence Township.	123.31	Feb. 13, 1974	do	May 31, 1975.
Heinz U.S.A., Division of H. J. Heinz Co., State Order No. 74-931-V.	Chambersburg	123.11	do	do	Nov. 1, 1974.
Kerr Glass Manufacturing Corp., State Order No. 73-779-V, as amended Nov. 8, 1973.	Lancaster	123.31	Oct. 1, 1973	do	Nov. 15, 1974.
Lukens Steel Co., State Order No. 73-880-V.	Coatesville	123.1, 123.2, 123.13, 123.41.	Nov. 30, 1973	do	Dec. 15, 1974.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Mercer Lime & Stone Co., State Order No. 73-844-V, as amended Nov. 9, 1973.	Branchton	123.13	June 1, 1973	do	Dec. 31, 1974.
North American Refractories Co., State Order No. 73-775-V-A.	Womelsdorf	123.31	Apr. 16, 1974	do	May 1, 1974.
Owens-Illinois, Inc., State Order Nos.:					
73-854-V	Clarion	123.13, 123.41	Nov. 30, 1973	do	July 1, 1975.
73-855-V	do	123.13, 123.41	do	do	Jan. 1, 1975
73-856-V	do	123.12	Dec. 3, 1973	do	July 1, 1975.
Pennsylvania Power & Light Co., State Order Nos.:					
73-753-V	East Manchester.	123.11, 123.41	Sept. 13, 1973	do	Nov. 1, 1974.
74-853-V	Washingtonville	123.22	Mar. 6, 1974	do	July 1, 1975.
Stackpole Carbon Co., State Order No. 73-853-V.	Benzinger Township, Kane and St. Marys.	Ch. 123	Nov. 30, 1973	do	June 19, 1975.
Stauffer Chemical Co., State Order No. 73-844-V.	Morrisville	123.13	Dec. 3, 1973	do	May 15, 1975.
Sun Oil Co., State Order Nos.:					
74-915-V, as amended March 8, 1974.	Marcus Hook	123.21	Feb. 22, 1974	do	May 31, 1975
74-919-V, as amended July 23, 1974.	do	129.4	Feb. 28, 1974	do	Do.
74-920-V, as amended March 15, 1974.	do	123.31	Mar. 8, 1974	do	Do.
74-922-V	do	123.41	do	do	Sept. 19, 1974.
United Refining Co., State Order No.: 73-808-V.	Warren	123.13	Oct. 17, 1973	do	Mar. 31, 1975.
United States Steel Corp., State Order Nos.:					
74-965-V	Falls Township	123.13, 123.41	Mar. 29, 1974	do	May 31, 1975.
74-966-V	Fairless Hills	129.2	do	do	Oct. 31, 1974
Anchor Hocking Corp., State Order No.: 73-729-V.	South Connellsville.	123.13(c), 123.41.	Aug. 23, 1973	do	July 31, 1975.
Appleton Papers Inc., State Order No.: 73-805-V, as amended Mar. 15, 1974.	Roaring Spring	123.11, 123.31	Oct. 18, 1973	do	Do.
Atlantic Steel Castings Co., State Order No.: 73-832-V.	Chester City	123.13	Nov. 19, 1973	do	Do.
Bethlehem Steel Corp., State Order No.: 73-701-V, as amended May 21, 1974.	Bethlehem	123.1, 123.13, 123.23, 123.31, 123.41.	Aug. 8, 1973	do	Do.
Corning Glass Works, State Order No.: 73-730-V, as amended Apr. 5, 1974.	Charleroi	123.13, 123.41	Aug. 22, 1973	do	Do.
Corning Glass Works, State Order No.: 74-909-V.	do	123.13, 123.41	Jan. 31, 1974	do	Do.
H & E Manufacturing Co., State Order No.: 73-836-V, as amended May 21, 1974.	Picture Rocks	123.11, 123.41	Nov. 7, 1973	do	Dec. 31, 1974.
Hammermill Paper Co., State Order No.: 73-800-V, as amended Nov. 15, 1973.	Erie	123.11, 123.22, 123.41.	Oct. 17, 1973	do	July 31, 1975.
Hammermill Paper Co., State Order No.: 73-824-V.	Lock Haven	123.11, 123.41	Nov. 14, 1973	do	Do.
Kraftco Corp., Metro Containers, State Order No.: 73-732-V, as amended May 6, 1974.	Washington	123.13	Sept. 7, 1973	do	Do.
National Roll Division, General Steel Industries, Inc., State Order No.: 73-797-V.	Avonmore	123.13	Oct. 17, 1973	do	Do.
Penntech Papers, Inc., State Order No.: 73-852-V, as amended Dec. 21, 1973.	Johnsonburg	123.2, 123.11, 123.13, 123.22, 123.31, 123.41, 131.2, 131.3.	Dec. 4, 1973	do	Do.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Reading Metals Refining Corp., State Order No.: 74-894-V, as amended May 21, 1974.	Ontelaunee	123.13, 123.41	Jan. 25, 1974	do	May 21, 1975.
Roessing Bronze Co., State Order No.: 73-766-V.	Adams Township.	123.13	Sept. 18, 1973	do	July 31, 1975.
Sun Oil Co., State Order No.: 74-918-V, as amended May 21, 1974.	Marcus Hook	123.31	Feb. 27, 1974	do	Mar. 19, 1975.
Sun Oil Co., State Order No.: 74-918-V.	do	129.2	Feb. 22, 1974	do	May 31, 1975.
Jones & Laughlin Steel Corp., County Order No.: 54 C 212.	Pittsburgh	1809.6B.2	Apr. 3, 1973	Apr. 10, 1973	July 1, 1975.
Shenango, Inc., County Order No.: 35 C 106-109.	Neville Island	1809.6B.2	June 11, 1973	June 21, 1973	June 1, 1975.
U.S. Steel Corp., County Order No.: 143 P 127.	Duquesne	1809.1, 1809.4A.	July 3, 1973	July 13, 1973	May 1, 1975.
West Penn Power Co., Order No. 73-679-V.	Armstrong County.	123.11, 123.22, 123.41.	July 20, 1973	Immediately	Apr. 30, 1975.

[38 FR 7459, Mar. 22, 1973, as amended at 39 FR 12103, Apr. 3, 1974; 39 FR 16123, May 7, 1974; 39 FR 30350, Aug. 22, 1974; 39 FR 36482, Oct. 10, 1974; 39 FR 41364, Nov. 27, 1974; 40 FR 26676, June 25, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2037 Control strategy: Carbon monoxide and ozone (hydrocarbons).

(a) Part D—Conditional Approval—the Pennsylvania plan for carbon monoxide and ozone is approved provided that the following conditions are satisfied:

(1) Firm commitments to implement the Newton Branch electrification are submitted to EPA by December 30, 1980. If firm commitments are not submitted, the State must submit substitute measures with equivalent reductions by June 30, 1981.

[46 FR 17553, Mar. 19, 1981, as amended at 47 FR 8359, Feb. 26, 1982; 47 FR 25010, June 9, 1982]

§ 52.2038 Inspection and maintenance.

(a) Definitions:

(1) "Inspection and maintenance program" means a program to reduce emissions from in-use vehicles through identifying vehicles that need emission control related maintenance and requiring that such maintenance be performed.

(2) "Light-duty vehicle" means a gasoline powered motor vehicle rated at 6,000 lb GVW (gross vehicle weight) or less.

(3) "Medium-duty vehicle" means a gasoline powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) All other terms used in this section which are defined in Subpart G to Part 51 of this chapter, are used herein with the meanings so defined.

(b) This section is applicable in the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR and in the Southwest Pennsylvania Intrastate AQCR.

(c) The Commonwealth of Pennsylvania shall submit to the Administrator, no later than February 1, 1974, a detailed compliance schedule showing the steps that will be taken to establish and enforce an inspection and maintenance program pursuant to paragraph (d) of this section. The compliance schedule shall include:

(1) The text of any statutory proposals and regulations that are needed to carry out the inspection/maintenance program.

(2) A detailed timetable describing the steps that must be taken (and the date by which such steps will be taken) to ensure the timely submittal of any needed legislation to the legislature and to ensure timely adoption of the regulations needed for paragraph (d) of this section.

(3) A signed statement by the chief executive of the Commonwealth identifying the sources and amounts of funding for the inspection/maintenance program. If funds cannot legally be obligated under existing statutory

authority, the text of the needed legislation shall be submitted to the Administrator pursuant to paragraph (c)(1) of this section.

(d) The Commonwealth of Pennsylvania shall establish an inspection and maintenance program applicable to all light- and medium-duty vehicles subject to registration in Pennsylvania and registered to persons residing in any area defined in paragraph (b) of this section. No later than April 1, 1974, the Commonwealth of Pennsylvania shall submit legally adopted regulations to the Administrator establishing such a program. The Commonwealth may exempt any class or category of vehicles which the Commonwealth finds is rarely used on public streets and highways (such as classic or antique vehicles). The regulations shall include:

(1) Provisions for the inspection of all light- and medium-duty vehicles subject to this section at periodic intervals of no more than 1 year by means of an idle test. Such inspection must be performed within one of the AQCR's subject to this section.

(2) Provisions for inspection failure criteria consistent with average annual vehicular exhaust emissions reductions of 8 percent for carbon monoxide and 10 percent for hydrocarbons of the amounts that would have been emitted by vehicles subject to this section without the program. These criteria shall include an initial failure rate of 30 percent.

(3) Provisions to require that failed vehicles receive, within 2 weeks, the maintenance necessary to achieve compliance with the inspection standards. This shall include sanctions against individual owners and repair facilities, retest of failed vehicles following maintenance, a certification program to ensure that repair facilities performing the required maintenance above the necessary equipment, parts, and knowledgeable operators to perform the tasks satisfactorily, and such other measures as may be necessary or appropriate.

(4) A program of enforcement to ensure that vehicles are not intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them no longer to comply with the inspection standards. This might include spot checks of idle adjustments and/or a suitable type of physical tagging. This program shall include appropriate penalties for violation.

(5) Designation of the agency or agencies responsible for conducting, overseeing, and enforcing the inspection and maintenance program.

(6) Provisions for beginning the first inspection cycle no later than May 1, 1975, and for completing it no later than April 30, 1976.

(7) Criteria and procedures for identifying, whether by specially marked license plates, registration cards, or otherwise, vehicles subject to the requirements of this section.

(e) After April 30, 1976, the Commonwealth of Pennsylvania shall not allow to operate on its streets and highways vehicles subject to this section which do not display a valid State sticker certifying compliance with the applicable standards and procedures of paragraph (d) of this section. This shall not apply to the initial registration of a new motor vehicle.

(f) After April 30, 1976, no owner of a vehicle subject to this section shall operate or allow to be operated a vehicle which does not display a valid State sticker certifying compliance with the applicable standards and procedures adopted pursuant to paragraph (d) of this section. This shall not apply to the initial registration of a new motor vehicle.

(g) The requirements of this section shall apply to any vehicle registered to any person residing outside any area defined in paragraph (b) of this section if said vehicle is used primarily within any such area.

[38 FR 32393, Nov. 26, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2039 Air bleed to intake manifold retrofit.

(a) Definitions:

(1) "Air bleed to intake manifold retrofit" means a system or device (such as a modification to the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air-fuel ratio so as to achieve reductions in exhaust

emissions of hydrocarbons and carbon monoxide from 1967 and earlier light-duty vehicles of at least 21 percent and 58 percent, respectively.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb GVW (gross vehicle weight) or less.

(3) All other terms used in this section that are defined in Subpart G, to Part 51 of this chapter, are used herein with the meanings so defined.

(b) This section is applicable in the Allegheny County portion of the Southwest Pennsylvania Intrastate AQCR and the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR.

(c) The Commonwealth of Pennsylvania shall establish a retrofit program to ensure that on or before June 1, 1976, all light-duty vehicles of model years prior to 1968, subject to registration in Pennsylvania and registered to persons residing in any area defined in paragraph (b) of this section, are equipped with an appropriate air bleed to intake manifold retrofit device. No later than April 1, 1974, the Commonwealth shall submit legally adopted regulations to the Administrator establishing such a program. The Commonwealth may exempt any class or category of vehicles that the Commonwealth finds is rarely used on public streets and highways (such as classic or antique vehicles). The regulation shall include:

(1) Designation of an agency responsible for evaluating and approving such devices for use on vehicles subject to this section.

(2) Designation of an agency, responsible for ensuring that the provisions of paragraph (c)(3) of this section are enforced.

(3) Provisions for beginning the installation of the air bleed devices by August 1, 1975, with installation of the devices on all vehicles subject to this section no later than May 31, 1976.

(4) Procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and will have an adequate supply of retrofit components.

(5) Criteria and pcocedures for identifying, whether by specially marked license plates, registration cards, or otherwise, vehicles subject to the requirements of this section.

(d) After June 1, 1976, the Commonwealth shall not register or allow to operate on its streets or highways any light-duty vehicle subject to this section which does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section.

(e) After June 1, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

(f) The Commonwealth of Pennsylvania shall submit to the Administrator no later than February 1, 1974, a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to paragraph (c) of this section, including:

(1) The text of statutory proposals and regulations that the Commonwealth proposes for adoption.

(2) The date by which the State will recommend needed legislation to the State legislature.

(3) The date by which the Commonwealth will evaluate and approve devices for use in this program. Such date shall be no later than September 30, 1974.

(g) The requirements of this section shall apply to any vehicle registered to any person residing outside any area defined in paragraph (b) of this section if said vehicle is used primarily within any such area.

[38 FR 32394, Nov. 28, 1973, as amended a
51 FR 40677, Nov. 7, 1986]

§ 52.2040 [Reserved]

§ 52.2041 Study and establishment of bike ways.

(a) Definitions:

(1) "Philadelphia CBD" is defined a the area within the City of Philadel phia, Pennsylvania, bounded by, bu not including Vine Street, Sout Street, the Schuylkill River, and th Delaware River.

(2) "Pittsburgh CBD" is defined the area enclosed by the Alleghen

River, the Monongahela River, and I-876. I-876 is not included.

(b) This section is applicable in the Southwest Pennsylvania Intrastate AQCR and in the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR (the Regions).

(c) The Commonwealth of Pennsylvania shall, according to the schedule set forth in paragraph (d) of this section, conduct a study of, and shall in that study recommend locations for exclusive bicycle lanes and bicycle parking facilities in the areas described in paragraph (b) of this section. The study shall be made with a view toward maximum safety and security. The study shall include consideration of the physical designs for such lanes and parking facilities, and of rules of the road for bicyclists and, to the extent that present rules must be modified because of bicycle lanes, new rules of the road for motorists. In conducting the study, opportunity shall be given for public comments and suggestions. The study shall recommend as large a network of new CBD-oriented commuter bicycle lanes and bicycle parking facilities as is practicable within the areas described in paragraph (b) of this section and shall recommend physical designs for said lanes and facilities. The networks shall contain at least 25 miles of exclusive bicycle lanes in each direction in the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR and shall contain at least 10 miles of such lanes in each direction within the Southwest Pennsylvania Intrastate AQCR.

(d) The Commonwealth of Pennsylvania shall submit to the Administrator no later than March 1, 1974, a detailed compliance schedule showing the steps that will be taken to carry out the study required by paragraph (c) of this section. The compliance schedule shall at a minimum include:

(1) Designation of the agency responsible for conducting the study.

(2) A date for initiation of the study, which date shall be no later than May 1, 1974.

(3) A date for completion of the study, and submittal thereof to the Administrator, which date shall be no later than March 1, 1975.

(4) A detailed timetable describing the steps that must be taken and when these steps will be taken to ensure the timely submittal of any legislation needed to generally authorize establishment of bikeways and parking facilities in Pennsylvania to the State legislature.

(e) On or before April 1, 1975, the Administrator shall submit to the Commonwealth of Pennsylvania his response to the study required by paragraph (c) of this section, and shall, in that response, either approve the route and parking facility location and designs recommended in the study, or shall designate alternative and/or additional route and parking facility locations and designs.

(f) The Commonwealth of Pennsylvania, and such county and local jurisdictions as the Commonwealth shall request to participate in the establishment of the networks (the Commonwealth must request the participation of a county or local jurisdiction if the participation of that jurisdiction is necessary to the establishment of the lanes and other facilities required by this section) shall establish, according to the schedule set forth in the compliance schedule required by paragraph (g) of this section, bike lanes and parking facilities along the routes and in the locations approved or designated by the Administrator pursuant to paragraph (e) of this section.

(g) On or before June 1, 1975, the Commonwealth of Pennsylvania, and such county and local jurisdictions as the Commonwealth has requested to participate (and are, therefore, required to participate by paragraph (f) of this section) shall submit to the Administrator compliance schedules which shall show in detail the steps which each governmental entity will take to establish the bike lanes and parking facilities required by this section. The schedule must include as a minimum the following:

(1) Each lane and parking facility must be identified with a date set for its establishment.

(2) The design, security, and safety features of each lane and parking facility must be precisely described and shown to be in accord with the designs approved or designated by the Admin-

istrator pursuant to paragraph (e) of this section.

(3) A date must be set for the initiation of lane and parking construction, which date shall be no later than September 1, 1975.

(4) A date must be set for completion of 50 percent of lane and parking construction, which date shall be no later than February 1, 1976.

(5) A date must be set for completion of 100 percent of lane and parking construction, which date shall be no later than May 31, 1976.

(6) Designation must be made of the agencies responsible for guaranteeing the establishment of the lanes and facilities in accordance with the Administrator's response to the Commonwealth study.

(7) Signed statements of the chief executives of all jurisdictions involved in the establishment of the lanes and parking facilities required by this section, or their designees, must be submitted identifying the sources and amounts of funding for the programs required by this section, along with a timetable to ensure that proper funds will be available.

(h) No later than August 1, 1975, each governmental entity required by this section to establish bicycle lanes and/or parking facilities, shall submit to the Administrator legally adopted regulations sufficient to implement and enforce all of the requirements of this section.

(i) Notwithstanding paragraph (c) of this section, if prior to the completion and submittal of the study required by paragraph (c) of this section, the Commonwealth of Pennsylvania has good and reasonable cause, through public comment or otherwise, to believe that the maximum practicable network of bicycle lanes will be less than 25 miles, in each direction, in the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR, and/or less than 10 miles, in each direction, in the Southwest Pennsylvania Intrastate AQCR, the Commonwealth shall so notify the Administrator and shall obtain his concurrence or nonconcurrence, and shall conduct the remainder of the study to assure that the network of lanes shall be that mileage specified by the Administrator. Notice pursuant to this paragraph shall be given no later than the beginning of the ninth month of the study.

[38 FR 32895, Nov. 28, 1973]

§ 52.2042 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Allegheny County portion of the Southwest Pennsylvania Intrastate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight o the organic compounds in the displaced vapor.

(2) If a "vapor-balance return" o "simple displacement" system is use to meet the requirements of this se tion, the system shall be so construc ed as to be readily adapted to retrof with an adsorption system, refriger tion-condensation system, or equiv lent vapor removal system.

(3) The vapor-laden delivery vess shall be subject to the following cond tions:

(i) The delivery vessel must be so d signed and maintained as to be vapo tight at all times.

(ii) Within the Southwest Penns vania Intrastate AQCR, the vap laden delivery vessel may be refill only at facilities equipped with a vap recovery system or the equivale which can recover at least 90 perc by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of 1,000 gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this section will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage containers served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary container having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity of less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfer made to storage tanks equipped with floating roofs or their equivalent.

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) *June 1, 1974.* Submit to the Administrator a final control plan, which describes at a minimum the steps that will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) *March 1, 1795.* Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emissions control.

(3) *May 1, 1975.* Initiate on-site construction or installation of emission control equipment.

(4) *February 1, 1976.* Complete on-site construction or installation of emission control equipment.

(5) *March 1, 1976.* Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) Any gasoline dispensing facility subject to this section that installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by March 1, 1976, and prior to that date shall comply with paragraph (e) as far as possible. Any facility subject to this section that installs a storage tank after March 1, 1976, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 32896, Nov. 28, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2042, see the List of

CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2043 Computer carpool matching system.

(a) Definitions:

(1) "Carpool" means two or more persons utilizing the same vehicle.

(2) "Carpool matching" means assembling lists of commuters sharing similar travel needs and providing a mechanism by which persons on such lists may be put in contact with each other for the purpose of forming carpools.

(3) "Time-origin-destination (TOD) information" means information that identifies a commuters' work schedule, home and work location, or the location of other desired origins and destinations of trips (such as shopping or recreational trips).

(4) "Pilot program" means a program that is initiated on a limited basis for the purpose of facilitating a future full scale regional program.

(b) This section is applicable in the Southwest Pennsylvania Intrastate AQCR and in the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR (the Regions).

(c) Beginning June 1, 1975, the Commonwealth of Pennsylvania shall, unless exempted by the Administrator on the basis of a finding that equivalent service is being or will be provided by some other public or private entity, establish a computer-aided carpool matching system which is conveniently available at least to all employees of employers within the Regions who employ 100 or more employees. The system shall, as soon as practicable, be made available to employees of smaller employers. No later than June 1, 1974, the Commonwealth of Pennsylvania shall submit to the Administrator a program, legally adopted (through regulation or statute) by and legally binding on the Commonwealth, providing for such a system. The program shall include:

(1) A method of collecting information that will include the following as a minimum:

(i) Provisions for each affected employee to receive an application form with a cover letter describing the matching program.

(ii) Provisions on each application for applicant identification of his TOD information, and the applicant's desire to drive only, ride only, or share driving.

(2) A computer method of matching information that will have provisions for locating each applicant's origin and destination within a grid system in each of the Regions and matching applicants with identical origin and destination grids and compatible work schedules.

(3) A method for providing continuing service so that the master list of all applicants is retained and available for use by new applicants, applications are currently available, and the master list is periodically updated to remove applicants who have moved from the area served.

(4) An agency or agencies responsible for operating, overseeing and maintaining the carpool computer matching system.

(d) No later than January 1, 1975, a pilot program shall be initiated in each Region identified in paragraph (b) of this section in preparation for the full implementation required under paragraph (c) of this section.

[38 FR 32897, Nov. 28, 1973]

§§ 52.2044—52.2048 [Reserved]

§ 52.2049 Specific express busways in Allegheny County.

(a) This section is applicable in the Allegheny County portion of the Southwest Pennsylvania Intrastate AQCR.

(b) Each governmental entity having ownership or control over the following streets and highways, or any portion thereof, shall take all action necessary to establish the lanes indicated below, during the times indicated below, as lanes exclusively for use by buses. Lanes must be established in accordance with the schedule set forth in paragraph (d) of this section.

(1) One lane in each direction of Fifth Avenue in the City of Pittsburgh between Grant Street and Liberty Avenue shall be so reserved from 6 a.m. to 7 p.m., Monday through Saturday.

(2) One lane of Fifth Avenue in the City of Pittsburgh to serve buses traveling from Jumonville Street to Neville Street, shall be so reserved 24 hours per day, Monday through Saturday.

(3) One lane of Liberty Avenue in the City of Pittsburgh to serve buses traveling from Grant Street to 32nd Street shall be so reserved from 4:30 p.m. to 6:30 p.m., Monday through Saturday.

(4) One lane of Stanwix Street in the City of Pittsburgh to serve buses traveling from Liberty Avenue to the Boulevard of the Allies shall be so reserved from 4:30 p.m. to 6:30 p.m., Monday through Saturday.

(5) One lane of Centre Avenue in the City of Pittsburgh to serve buses traveling from Penn Circle to Craig Street shall be so reserved from 6 a.m. to 9 a.m., Monday through Saturday.

(6) One lane of Centre Avenue in the City of Pittsburgh to serve buses traveling from Craig Street to Penn Circle shall be so reserved from 4:30 p.m. to 6:30 p.m., Monday through Saturday.

(7) One lane of the Penn Lincoln Parkway to serve buses traveling from the Greentree entrance to the Saw Mill Run exit shall be so reserved from 6 a.m. to 9 a.m., Monday through Saturday.

(8) One lane of the Penn Lincoln Parkway to serve buses traveling from the Saw Mill Run entrance to the Greentree exit shall be so reserved from 4:30 p.m. to 6:30 p.m., Monday through Saturday.

(9) One lane of the Penn Lincoln Parkway to serve buses traveling from the Squirrel Hill entrance to the Boulevard of the Allies exit shall be so reserved from 6 a.m. to 9 a.m., Monday through Saturday.

(10) One lane of the Penn Lincoln Parkway to serve buses traveling from the Boulevard of the Allies entrance to the Squirrel Hill exit shall be so reserved from 4:30 p.m. to 6:30 p.m., Monday through Saturday.

(11) One lane of the Fort Pitt Bridge to serve buses traveling from Point Park shall be so reserved from 4:30 p.m. to 6:30 p.m., Monday through Saturday.

(c) Each governmental entity required to take action under paragraph (b) of this section shall submit to the Administrator no later than April 1, 1974, compliance schedules which shall show in detail the steps which each such governmental entity will take to establish the bus lanes provided for by this section, and to enforce the limitations on their use. In the compliance schedule submitted pursuant to this paragraph a governmental entity may designate limited segments of lanes which may be entered briefly by vehicles, otherwise excluded from such lanes, or reasons of safety or sound traffic planning. Such exceptions shall be subject to the approval of the Administrator. Special circumstances justifying the need for such an exception (such as the desire to allow an exclusive lane to be entered briefly by automobiles for purposes of making a turn) must be set forth in detail.

(d) Exclusive bus lanes must be prominently indicated by distinctive painted lines, pylons, signs, or physical barriers. Fifty percent of the lanes must be established and needed signs must be installed by August 1, 1974; 100 percent must be established by January 1, 1975.

(e) A signed statement by the chief executive of each governmental entity required to take action under paragraph (b) of this section, or his designee, shall be submitted to the Administrator no later than April 1, 1974, to identify the sources and amounts of funds for all projects required by this section.

(f) No later than June 1, 1974, each governmental entity subject to this section shall submit to the Administrator legally adopted regulations sufficient to implement and enforce all of the requirements of this section.

[38 FR 32900, Nov. 28, 1973]

§ 52.2050 Exclusive bus lanes for Pittsburgh surburbs and outlying areas.

(a) Definitions:

(1) "Carpool" means a vehicle containing three or more persons.

(2) "Bus/carpool lane" means a lane on a street or highway, which lane is open only to buses (or buses and carpools), whether constructed especially for that purpose or converted from existing lanes.

(3) "Pittsburgh CBD" means the area enclosed by the Allegheny River, the Monongahela River, and I-876. I-876 is not included.

(b) The Commonwealth of Pennsylvania and such county and local jurisdictions as the Commonwealth may request to participate (the Commonwealth must request the participation of a county or local jurisdiction by December 15, 1974, if the participation of that jurisdiction is necessary to the establishment of the lanes required by this section) shall establish, according to the schedule in paragraph (f) of this section, bus/carpool lanes along corridors connecting at least the following suburban or outlying areas (or alternative areas if indicated in the study required by paragraph (c) of this section and approved by the Administrator) to the Pittsburgh CBD:

(1) Belleville, Pennsylvania,
(2) Bethel Park, Pennsylvania,
(3) Clairton, Pennsylvania,
(4) The Greater Pittsburgh International Airport,
(5) McKeesport, Pennsylvania,
(6) McKees Rocks, Pennsylvania,
(7) Monroeville, Pennsylvania,
(8) North Braddock, Pennsylvania, and
(9) Penn Hills, Pennsylvania,

For each route either approved or designated by the Administrator pursuant to paragraph (d) of this section, at least one bus/carpool lane shall be established to serve traffic traveling toward the Pittsburgh CBD from 6:30 to 9:30 a.m. (or for a longer time), and at least one bus/carpool lane shall be established to serve traffic traveling toward the suburban or outlying areas from 3:30 to 6:30 p.m. (or for a longer time), Monday through Saturday.

(c) On or before November 1, 1974, the Commonwealth of Pennsylvania shall submit to the Administrator a study which shall contain for each of the corridors described in paragraph (b) of this section a detailed analysis showing every specific route location considered by the Commonwealth for the corridor. The study shall designate one of the specific routes examined for each corridor as the most practicable route for that corridor. The study shall fully present the advantages and disadvantages of establishing the bus/carpool lanes provided for in paragraph (b) of this section along the most practicable route. For any corridor identified in this section along which the Commonwealth concludes that bus/carpool lanes are not feasible, the Commonwealth shall designate a replacement corridor connecting the Pittsburgh CBD and another significant source of CBD-bound traffic along which bus/carpool lanes are feasible. An analysis of the substituted corridor shall be included similar to the analysis of the original corridor, to show the most practical route for said bus/carpool lanes.

(d) On or before December 1, 1974, the Administrator shall submit to the Commonwealth of Pennsylvania his response to the study required by paragraph (c) of this section, and shall in that response, either approve the routes selected by the Commonwealth as most practicable and feasible for bus/carpool lanes, or shall designate alternative routes on which bus/carpool lanes must be established.

(e) On or before February 1, 1975, the Commonwealth of Pennsylvania and such county and local jurisdictions as the Commonwealth has requested to participate (and are, therefore, required by paragraph (b) of this section to establish lanes) shall submit to the Administrator compliance schedules which shall show in detail the steps which each governmental entity will take to establish the bus/carpool lanes required by this section, and to enforce the limitations on their use. In the compliance schedule submitted pursuant to this paragraph a governmental entity may designate limited segments of lanes which may be entered briefly by vehicles, otherwise excluded from such lanes, for reasons of safety or sound traffic planning. Such exceptions shall be subject to the approval of the Administrator. Special circumstances justifying the need for such an exception (such as the desire to allow an exclusive lane to be entered briefly by automobiles for purposes of making a turn) must be set forth in detail.

(f) Bus/carpool lanes must be prominently indicated by distinctive painted lines, pylons, signs, or physical barriers. Twenty-five percent of the lan mileage for each of the governmental entities must be established and the needed signs installed by July 1, 1975; 50 percent established by October 1, 1975; and 100 percent established by January 1, 1976.

(g) A signed statement by the chief executive of each governmental entity establishing lanes, or his designee, shall be submitted to the Administrator no later than February 1, 1975, to identify the sources and amounts of funds for all projects required by this section.

(h) No later than April 1, 1975, each governmental entity required by this section to establish lanes shall submit to the Administrator legally adopted regulations sufficient to implement and enforce all of the requirements of this section.

[38 FR 32900, Nov. 28, 1973]

§ 52.2051 Regulation for limitation of public parking.

(a) "On-street parking" means stopping a motor vehicle on any street, highway, or roadway (except for legal stops at or before intersections and as caution and safety require) whether or not a person remains in the vehicle. Stopping for the purpose of effecting any pickup or delivery of goods shall be permitted as provided in paragraphs (d) and (e) of this section.

(b) This section is applicable in the Southwest Pennsylvania Intrastate AQCR and in the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR.

(c) Beginning April 1, 1974, each appropriate governmental entity shall prohibit on-street parking, Monday through Saturday, on all streets and highways over which it has ownership or control and which contain exclusive bus, bus/carpool, or trolley lanes pursuant to §§ 52.2044 through 52.2050, except as provided in paragraph (f) of this section. The prohibition against on-street parking on any particular street or highway shall be only for the period during which such street or highway has a lane or lanes reserved for trolleys, buses, and/or carpools. Momentary stopping for the pickup or discharge of passengers on exclusive bus, bus/carpool, or trolley lanes at established passenger stops shall be permitted. No later than March 1, 1974, each initially affected governmental entity shall submit to the Administrator legally adopted regulations establishing such a prohibition program. For any governmental entity not subject to any requirement to establish exclusive lanes until so requested by the Commonwealth of Pennsylvania pursuant to §§ 52.2048(b) and 52.2050(b), legally adopted regulations need not be submitted to the Administrator until 2 months after the Commonwealth of Pennsylvania requests the participation of such governmental entity in an exclusive lane program. At a minimum, such regulations must provide that vehicles parked in violation of the prohibition shall be towed away and the owner shall be fined not less than $50 per violation.

(d) Any governmental entity required under paragraph (c) of this section to establish on-street parking limitations may apply to the Administrator for permission to allow pickup and delivery of goods in certain identified zones along streets or highways containing exclusive trolley, bus, or bus/carpool lanes. Such applications must be submitted to the Administrator no later than June 1, 1974, or 1 month before the exclusive lane is established, whichever is later, and must identify precisely the physical location of the zones, the times for which permission to load and deliver in the zone is sought, and the manner (signs, pylons, etc.) in which the zones will be identified to motorist. Such application must also demonstrate that no safe and feasible alternatives exist for loading and delivery for the affected merchants (or others) from streets not containing exclusive trolley, bus, or bus/carpool lanes.

(e) After July 1, 1974, any governmental entity required under paragraph (c) of this section to establish on-street parking limitations, shall also prohibit stopping any vehicle along any street or highway containing an exclusive trolley, bus, or bus/carpool lane for the purpose of effecting any pickup or delivery of goods, except in loading and delivery zones approved by the Administrator pursuant to paragraph (d) of this section. Such prohibition shall apply during the same hours as the prohibition against on-street parking and shall state that any vehicle parked in violation of the prohibition shall be towed away and the owner shall be subject to a fine of not less than $50 per violation.

(f) This section shall have no application to the streets and highways containing exclusive bus or trolley lanes as provided for in § 52.2046.

(g) No later than February 1, 1974, governmental entities subject to this section shall submit to the Administrator detailed compliance schedules showing the steps they will take to establish and enforce the on-street parking limitation program, including statutory proposals and needed regulations that they will propose for adoption. For any governmental entity not subject to any requirement to establish exclusive bus/carpool lanes until so requested by the Commonwealth of Pennsylvania pursuant to §§ 52.2048(b) and 52.2050(b), a compliance schedule need not be submitted to the Administrator until 1 month after the Commonwealth of Pennsylvania requests the participation of such governmental entity in an exclusive lane program.

[38 FR 32901, Nov. 28, 1973]

§ 52.2052 [Reserved]

§ 52.2053 Monitoring transportation mode trends.

(a) This section is applicable to the Southwest Pennsylvania Intrastate AQCR and the Pennsylvania portion of the Metropolitan Philadelphia Interstate AQCR.

(b) In order to assure the effectiveness of the inspection and maintenance program and the retrofit devices required under §§ 52.2038 and 52.2039, the Commonwealth of Pennsylvania shall monitor the actual per vehicle emission reductions occurring as a result of such sections. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the Commonwealth in accordance with § 58.35 of this chapter. The first quarterly report for reporting emission reduction data shall cover the period from January 1 to March 31, 1976.

(c) In order to assure the effective implementation of §§ 52.2040, 52.2041, and 52.2043 through 52.2051 the Commonwealth shall monitor vehicle miles traveled and average vehicle speed for each area in which such sections are in effect for such time periods as may be appropriate to evaluate the effectiveness of such sections. The first quarterly report for reporting vehicle miles traveled and vehicle speed data shall cover the period from July 1, through September 30, 1974. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State in accordance with § 58.35 of this chapter in the basic format shown in Table 1.

Time period ....
Affected area ....

VMT OR AVERAGE VEHICLE SPEED		
Roadway type	Vehicle type (1)	Vehicle type (2)[1]
Freeway		
Arterial		
Collector		
Local		

[1] Continue with other vehicle types as appropriate.

(d) No later than March 1, 1974, the Commonwealth shall submit to the Administrator a compliance schedule to implement this section. The program description shall include the following:

(1) The Agency or agencies responsible for conducting, overseeing, and maintaining the monitoring program.

(2) A description of the methods to be used to collect the emissions data, VMT data, and vehicle speed data; a description of any modeling techniques to be employed; a description of the geographical area to which the data apply; identification of the location at which the data will be collected; and the time periods during which data will be collected.

(3) The administrative procedures t be used.

[38 FR 32902, Nov. 28, 1973, as amended 44 FR 27571, May 10, 1979]

§ 52.2054 Control of asphalt paving material.

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and

(2) No more than 2,615,000 gallons of cutback asphalts shall be used, of which no more than 1,400,000 gallons may be used for dust palliative work on roadways and shoulders; and

(3) No more than 2,500,000 gallons total of emulsion Class E-4 and Class E-5 shall be used unless an equivalent reduction in the use of cutbacks is made to balance the additional hydrocarbon emissions from emulsions.

(b) The Pennsylvania Department of Transportation is required to submit to the Pennsylvania Department of Environmental Resources, on a quarterly basis, reports which list for each of the affected counties the number of gallons of each class of asphalt used. The first quarterly reports will be submitted in October 1977 for the period between July 1, 1977, and September 30, 1977. Copies of all reports will also be forwarded to Region III, EPA.

[42 FR 54417, Oct. 6, 1977]

§ 52.2055 Review of new sources and modifications.

(a) Special permit requirement regulations are approved.

(b) [Reserved]

(c) The Special Permit Requirement regulations are approved provided that the language of section 127.65(b) of the Pennsylvania regulations is revised to conform with section 173(3) of the Clean Air Act and submitted to EPA by the Secretary of the Department of Environmental Resources by May 31, 1981. In the interim, the following schedule must be met:

—January 31, 1981—Notice of public hearing.

—February 28, 1981—Public hearing completed and draft regulations submitted to EPA.

—May 31, 1981—Adopt new regulations and submit to EPA.

However, these regulations are not approved for permitting of applicable CO sources locating in CO nonattainment areas or for applicable hydrocarbon sources in rural ozone nonattainment areas.

[39 FR 7283, Feb. 25, 1974, as amended at 46 FR 17554, Mar. 19, 1981; 46 FR 51742, Oct. 22, 1981; 47 FR 8359, Feb. 26, 1982]

§ 52.2056 Maintenance of national standards.

(a) The requirements of §§ 51.102, 51.103, and 51.110(h) of this chapter are not met since the State did not conduct an adequate public hearing on the identification of areas which have the potential for violation of an air quality standard within 10 years and submit such identification by the Governor of Pennsylvania or his designee.

(b) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Allegheny County Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

Coincident boundaries with Allegheny County Air Basin as defined in the plan.

(2) Allentown-Bethlehem-Easton Interstate Air Quality Maintenance Area (Pennsylvania Portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with Allentown-Bethlehem-Easton Air Basin as defined in the plan.

(3) Beaver Valley Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Coincident boundaries with Beaver Valley Air Basin as defined in the plan.

(4) Erie Air Basin Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with the Erie Air Basin as defined in the plan.

(5) Harrisburg Air Basin Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with Harrisburg Air Basin as defined in the plan.

(6) Johnstown Air Basin Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with Johnstown Air Basin as defined in the plan.

(7) Lancaster Air Basin Air Quality Maintenance Area.

(i) Pollutant for which the area is reidentified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with Lancaster Air Basin as defined in the plan.

(8) Monongahela Valley Air Basin Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Coincident boundaries with Monongahela Valley Air Basin as defined in the plan.

(9) Reading Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with Reading Air Basin as defined in the plan.

(10) Scranton-Wilkes-Barre Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with Scranton-Wilkes-Barre Air Basin as defined in the plan.

(11) Metropolitan Philadelphia Interstate Air Quality Maintenance Area (Pennsylvania Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

Coincident boundaries with Southeast Pennsylvania Air Basin as defined in the plan.

(12) York Air Basin Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Coincident boundaries with York Air Basin as defined in the plan.

[40 FR 41952, Sept. 9, 1975, as amended a
51 FR 40675, 40676, Nov. 7, 1986]

§ 52.2057 [Reserved]

§ 52.2058 Prevention of significant quality deterioration.

(a) The requirements of sections 16
through 165 of the Clean Air Act a
met by the regulations (25 PA Co
§ 127.81 through 127.83) adopted
the Pennsylvania Environmental
sources on October 28, 1983. All P
permit applications and requests
modifications thereto should be s
mitted to: Pennsylvania Departm
of Environmental Resources, Bur
of Air Quality Control, 200 No

Third Street, Harrisburg, PA. 17120, ATTN: Abatement and Compliance Division.

[49 FR 33128, Aug. 21, 1984]

§ 52.2059 Control strategy: Particulate matter.

(a) Pennsylvania has committed to undertake a comprehensive program to investigate non-traditional sources, industrial process fugitive particulate emissions, alternative control measures, and to develop and implement an effective control program to attain the primary and secondary NAAQS for particulates. The schedule for this study is as follows:

SCHEDULE FOR INVESTIGATING AND CONTROLLING NONTRADITIONAL PARTICULATE MATTER EMISSIONS

Task	Completion date
Scheduled tasks:	
1. Quantify nontraditional sources	June 1, 1980.
2. Investigate control techniques	Apr. 1, 1982.
3. Investigate source-receptor relationship.	June 1, 1980.
Analysis and control strategy development:	
1. Analyze Nonattainment Areas	July 1, 1981.
2. Develop Control Strategies	Jan. 1, 1982.
3. Develop, Adopt, Submit SIP	July 1, 1982.
4. Implement SIP	Begin—7/1/82.

[45 FR 33628, May 20, 1980]

Subpart OO—Rhode Island

§ 52.2070 Identification of plan.

(a) Title of plan: "Plan for Implementation, Maintenance and Enforcement of National Primary and Secondary Ambient Air Quality Standards in the Metropolitan Providence Interstate Air Quality Control Region" for the State of Rhode Island.

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Notice of public hearing submitted on February 9, 1972, by the Rhode Island Department of Health.

(2) Miscellaneous non-regulatory additions to the plan correcting minor deficiencies submitted on February 29, 1972, by the Rhode Island Department of Health.

(3) Regulation 12 requiring prevention and control of air pollution from incinerators submitted on March 7, 1973, by the Rhode Island Department of Health.

(4) Regulation 13 requiring prevention and control of air pollution from fuel burning equipment submitted on March 19, 1973, by the Rhode Island Department of Health.

(5) Compliance schedules submitted on April 24, 1973, by the Rhode Island Department of Health.

(6) Revisions to Regulation 10, Air Pollution Episodes, submitted on January 25, 1974, by the Rhode Island Department of Health.

(7) AQMA identifications submitted on April 11, 1974, by the Rhode Island Department of Health.

(8) Revision to Regulation 8, Limitation of Sulfur in Fuels, submitted on May 22, 1974, by the Rhode Island Department of Health.

(9) Letter identifying Metropolitan Providence as an AQMA submitted on September 6, 1974, by the Governor.

(10) Revision to Regulation 14, Source Recordkeeping and Reporting, submitted on September 5, 1973, by the Rhode Island Department of Health.

(11) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR Part 58, was submitted by the Rhode Island Department of Environmental Management Director on January 8, 1980.

(12) Attainment plans to meet the requirements of Part D of the Clean Air Act, as amended in 1977, were submitted on May 14, 1979, June 11, 1979, August 13, 1979, January 8, January 24, March 10, March 31, April 21, June 6, June 13, August 20, November 14, March 4, March 5, and April 16, 1981. Included are plans to attain the carbon monoxide and ozone standards and information allowing for the redesignation of Providence to non-attainment for the primary TSP standard based on new data. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas.

Certain miscellaneous provisions unrelated to Part D are also included.

(13) A revision to Regulation 8, "Sulfur Content in Fuels," for the Narragansett Electric Company, Providence, submitted on August 28, 1980 by the Director of the Department of Environmental Management.

(14) A revision to Regulation 8, "Limitation of Sulfur in Fuels," submitted on January 30, 1981, by the Director of the Rhode Island Division of Air Resources allowing Bradford Dyeing Association, Westerly, to burn higher sulfur fuel oil, temporarily.

(15) Revisions for Group II CTGs: Storage of Petroleum Liquids—External Floating Roof Vessels (Regulation 11.6); and revisions to existing regulations: Stage I Vapor Controls (Regulation 11.5), Hazardous Waste Incinerators (Regulation 12.7.1), and Control of Solvent Metal Cleaning Emissions (Regulation 18) were submitted on January 9, July 23, and August 17, 1981.

(16) Variances from Regulations 8, "Sulfur Content in Fuels" and 13, "Particulate Emissions from Fossil Fired Steam or Hot Water Generating Units", for Kenyon Piece Dye Works, Richmond, submitted on July 1, 1982.

(17) Revisions to Regulations 8, "Sulfur Content of Fuels" and 13, "Particulate Emissions from Fossil Fuel Fired Steam or Hot Water Generating Units" were submitted on November 9, 1982 by the Division of Air and Hazardous Materials.

(18) Revisions to Air Pollution Control Regulation Number 9, Approval to Construct, Install, Modify, or Operate (except to subsection 9.1.1), and Section VI, Part II, "Stationary Source Permitting and Enforcement" of the narrative as submitted by the Department of Environmental Management on May 14, 1982 and July 1, 1982 for review of new major sources and major modifications in nonattainment areas. Also included are revisions to add rules for banking emission reductions.

(19) Revisions to the Rhode Island State Implementation Plan for attainment of the primary National Ambient Air Quality Standard for ozone as submitted on May 14, 1982; July 1, 1982; July 7, 1982; October 4, 1982 and March 2, 1983 by the Department of Environmental Management. Also included are generic bubble rules which provide for regulatory flexibility for VOC sources subject to RACT requirements under Regulations 15, 19 and 21 of the Rhode Island SIP

(20) Revisions to attain and maintain the lead NAAQS as submitted on July 7, 1983 by the Department of Environmental Management.

(21) The permit issued to the University of Rhode Island in Kingston approving a three-year bubble to control sulfur dioxide emissions. The Rhode Island Department of Environmental Management issued the permit in accordance with Regulation 8, § 8.3.2, "Emissions Bubbling" and submitted it to EPA as a SIP revision on January 16, 1984.

(22) Revisions to Regulation 9, "Approval to Construct, Install, Modify or Operate", and Section VI, Part II of the associated narrative of the Rhode Island SIP, to incorporate the requirements for the Prevention of Significant Deterioration of 40 CFR 51.24, permitting major stationary sources of lead and other miscellaneous changes as submitted on February 6, 1984 by the Rhode Island Department of Environmental Management. Clarifying letters dated January 27, 1984 and June 6, 1984.

(23) Revisions to Air Pollution Control Regulation 8, "Sulfur Content of Fuels," submitted on July 19, 1983, specifying maximum sulfur-in-coal limits (1.21 lbs/MMBtu on a 30-day rolling average and 2.31 lbs/MMBtu on a 24-hour average) for the Narragansett Electric Company South Street Station in Providence. These revisions approve Section 8.3.4, "Large Fuel Burning Devices Using Coal," for South Street Station only.

(24) Revisions to the State Implementation Plan were submitted by the Rhode Island Department of Environmental Management on May 28, 1985 and October 15, 1985.

(i) *Incorporation by reference.* (A) Amendments to Regulation 8, "Sulfur Content of Fuels" at 8.4.1(b) requiring owners/operators of fuel burning sources to have a sampling valve in the fuel line to the boiler to facilitate fuel sampling, amended on May 2, 1985.

(B) Amendments to Regulation 9, "Approval to Construct, Install, Modify, or Operate" requiring best available control technology (BACT) for each air pollutant emitted when permitting all new stationary sources and modifications not otherwise subject to lowest achievable emission rate (LAER) requirements under Rhode Island's approved new source review plan. The amended sections are 9.1.9, 9.1.14, 9.1.21, 9.1.22, 9.1.33, 9.1.36, 9.3.1, 9.3.3, 9.5.3, and 9.13.1. Regulation 9 was incorporated by reference in its present form on July 6, 1984 at paragraph (c)(22), above. The entire Regulation is being reincorporated by reference here to maintain consistency in the numbering and format, amended May 2, 1985.

(ii) October 15, 1985 letter from Rhode Island DEM to EPA which commits to implement the stack height related requirements of Regulation 9 in accordance with the Stack Height regulations at 40 CFR Part 51, Subpart B.

(25) A revision submitted on December 16, 1985 and January 23, 1986 allowing the burning of 2.2% sulfur content fuel oil at the Seville Dyeing Corporation facility in Woonsocket, Rhode Island for a period of up to 30 months, commencing on August 1, 1986, the savings from which will be used to pay for permanent energy conservation measures to reduce on-site consumption of petroleum products by at least 50,000 gallons per year (estimated 250,000 gallons per year).

(i) Incorporation by reference.

(A) Letter from Doug L. McVay, Principal Engineer, to Seville Dyeing Corporation, dated December 16, 1985 allowing the temporary use of less expensive 2.2% sulfur fuel oil until February 1, 1989. At the end of the temporary use period, Seville Dyeing Corporation will return to the use of 1.0% sulfur fuel oil. The particulate emission rate for the facility will not exceed 0.15 lbs per million Btu.

(B) Letter to Louis F. Gitto, Director of Air Management Division, EPA Region I from Thomas D. Getz, Director of Air & Hazardous Materials, RI DEM dated January 23, 1986; subject: Response to EPA questions regarding Seville Dyeing Corporation, and outline of the permanent energy conservation measures to be used.

(26) Revisions submitted on November 5, 1985, June 16, 1986 and November 3, 1986 by the Rhode Island Department of Environmental Management (DEM) consisting of an administrative consent agreement between the DEM's Division of Air and Hazardous Materials and Whitman Products Limited (now James River Corporation's Decorative Product Division) in Johnston, Rhode Island. When the consent agreement expires on December 31, 1986, James River Corporation will be subject to the emission limits in Rhode Island Regulation No. 19, subsection 19.3.1.

(i) Incorporation by reference.

(A) An administrative consent agreement between the Rhode Island and Providence Plantation Department of Environmental Management and Whitman Products Limited. The consent agreement became effective on May 29, 1985.

(B) Letters of June 16, 1986 and September 17, 1985 from the Department of Environmental Management to EPA.

(ii) Additional materials.

(A) Letter submitted on November 3, 1986 affirming that a sufficient growth margin exists, below the level of emissions necessary to show attainment of the national ambient air quality standard for ozone in Rhode Island, to absorb the increased emissions resulting from this compliance date extension.

(27) Revision submitted on November 5, 1985 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement defining reasonably available control technology for Stanley Bostitch (formerly Bostitch Division of Textron) in East Greenwich, Rhode Island.

(i) Incorporation by reference.

(A) An administrative consent agreement between the Rhode Island Department of Environmental Management and Bostitch Division of Textron. The consent agreement became effective on June 6, 1985 and requires Bostitch Division of Textron to reformulate certain solvent-based coatings to low/no solvent formulations by December 31, 1986.

(B) A letter to Bostitch Division of Textron from the Rhode Island Department of Environmental Management dated September 20, 1985 which serves as an addendum to the consent agreement. The addendum defines the emission limitations which Bostitch's Division of Textron reformulated coatings must meet.

(28) Revision submitted on November 5, 1985 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement granting a final compliance date extension for the control of organic solvent emissions from six paper coating lines at Keene Corporation in East Providence, Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated November 5, 1985 submitting revisions to the Rhode Island State Implementation Plan.

(B) An administrative consent agreement between the Rhode Island Department of Environmental Management and Keene Corporation, effective on September 12, 1985.

(29) Revisions submitted on November 5, 1985, February 21, 1986, April 15, 1987 and May 14, 1987 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement defining alternative reasonably available control technology for Kenyon Industries in Kenyon, Rhode Island.

(i) Incorporate by reference.

(A) Letter from the State of Rhode Island and Providence Plantations dated April 15, 1987 submitting revisions for Kenyon Industries to the Rhode Island State Implementation Plan.

(B) An administrative consent agreement between the State of Rhode Island and Providence Plantations Department of Environmental Management and Kenyon Industries, Inc., signed on December 31, 1986.

(ii) Additional material.

(A) A letter dated May 14, 1987 from the Department of Environmental Management containing technical support demonstrating that the revised consent agreement is at least as stringent as the consent agreement between the Rhode Island Department of Environmental Management and Kenyon effective in Rhode Island May 13, 1985.

(B) Original consent agreement between the Rhode Island Department of Environmental Management and Kenyon effective on May 13, 1985 submitted to EPA on November 5, 1985.

(C) Letter dated February 21, 1986 from Rhode Island describing required recordkeeping for Kenyon.

(30) Revisions to the State Implementation Plan were submitted by Rhode Island Department of Environmental Management on February 27, 1987. These revisions were effective as of January 20, 1987 in the State of Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated February 27, 1987 submitting revisions to the Rhode Island State Implementation Plan.

(B) Amendment to Air Pollution Control Regulation No. 11, at subsection 11.4.5 adopted on January 20, 1987 in Rhode Island.

(C) Amendment to Air Pollution Control Regulation No. 19, at subsection 19.7.1 adopted on January 20, 1987 in Rhode Island.

(D) Amendment to Air Pollution Control Regulation No. 21, at subsection 21.6.1 adopted on January 20, 1987 in Rhode Island.

[37 FR 10891, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2070, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2071 Classification of regions.

The Rhode Island plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Providence Interstate	I	I	III	I	I

[37 FR 10891, May 31, 1972, as amended at 38 FR 34325, Dec. 13, 1973; 39 FR 16347, May 8, 1974; 46 FR 25460, May 7, 1981]

§ 52.2072 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Rhode Island's plan, as identified in § 52.2070 of this subpart, for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by January 1, 1981 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January as additional RACT requirements for sources covered by CTGs issued by the previous January.

[46 FR 25460, May 7, 1981]

§ 52.2073 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(b) Regulation for public availability of emission data.

(1) Information obtained from owner or operators of stationary sources pursuant to § 52.2075 will be correlated with applicable emission limitations and other control regulations and will be made available for public inspection at the Rhode Island Department of Health, 204 Health Building, Providence, Rhode Island.

[37 FR 10891, May 31, 1972, as amended at 41 FR 2232, Jan. 15, 1976; 51 FR 40676, Nov. 7, 1986]

§ 52.2074 Legal authority.

(a) The requirements of § 51.230(e) of this chapter are not met. Authority to require recordkeeping is deficient to the extent that section 23-25-13 requires only those sources with an air pollution control program to keep records.

(b) The requirements of § 51.230(f) of this chapter are not met. Authority to release emission data to the public is deficient in that section 23-25-6 requires that only records concerning investigations be available to the public. Further, section 23-25-5(g) and section 23-25-13 may limit the State's authority to release emission data. Authority to require sources to install and maintain monitoring equipment is not provided and is therefore inadequate. Authority to require sources to periodically report is not provided and is therefore inadequate.

[37 FR 10891, May 31, 1972, as amended at 39 FR 7283, Feb. 25, 1974; 39 FR 12350, Apr. 5, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.2075 Source surveillance.

(a) The requirements of § 51.211 of this chapter are not met since the plan lacks adequate legal authority to require owners or operators of stationary sources to maintain records of, and periodically report information as may be necessary to enable the state to determine whether such sources are in compliance with applicable portions of the control strategy.

(b) Regulation for source recordkeeping and reporting.

(1) The owner or operator of all stationary sources which have the potential to emit a total of 100 tons or more per year of any one air contaminant for which there is a national standard shall maintain records of, and submit to the Director, data on operational

processes, fuel usage, emission, stack parameters, boiler capacities, types of equipment generating air contaminants and air contaminant control devices that may be necessary to determine if the source is in compliance with applicable rules and regulations of the Department. Upon notification of the Administrator, or the Director of the Rhode Island Department of Health, sources with the potential to emit less than 100 tons per year of any air contaminant shall also be subject to the requirements of this paragraph. For the purposes of this paragraph, potential emissions shall be calculated at the design load assuming no control equipment is in use and fuel having a sulfur content of 2.2 percent by weight (dry basis) is being burned.

(2) The information recorded by the owner or operator of a stationary source shall be summarized and reported to the Director of the Department of Health on forms furnished by him. They shall be submitted within 30 days following the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Director shall be retained by the owner or operator for two years after the date on which the pertinent report is submitted.

[41 FR 2232, Jan. 15, 1976, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2076 Attainment of dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Rhode Island's plan, except where noted.

Air quality control region [1]	Pollutant				NO_2	CO	O_3
	TSP		SO_2				
	Primary	Secondary	Primary	Secondary			
Providence	a	d	a	b	a	c	c
E. Providence	a	b	a	b	a	a	c
Cranston	a	b	a	b	a	a	c
Warwick	a	b	a	b	a	a	c
N. Providence	a	b	a	b	a	a	c
Pawtucket	a	b	a	b	a	a	c
Central Falls	a	b	a	b	a	a	c
Remainder of Rhode Island portion of AQCR 120.	a	b	a	b	a	a	c

a. Air quality levels presently better than primary standards or area is unclassifiable.
b. Air quality levels presently better than secondary standards or area is unclassifiable.
c. December 31, 1982.
d. Attainment date not established.

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Cle Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment da are set out at 40 CFR 52.2076 (1978).

[50 FR 52461, Dec. 24, 1985]

§ 52.2077 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since comp ance schedules with adequate increments of progress have not been submitt for every source for which they are required.

(b) The compliance schedules for the sources identified below are disapprov as not meeting the requirements of Subpart N of this chapter. All regulatio cited are air pollution control regulations of the State, unless otherwise not

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Source	Location	Regulation involved	Date of adoption
Woonsocket Municipal Incinerator	Woonsocket	12.2.2(c)	Apr. 24, 1937.

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Providence Municipal Incinerator	Providence	12.2.2(c)	Apr. 24, 1973	Immediately	Jan. 31, 1974.
Pawtucket Municipal Incinerator	Pawtucket	12.2.2(c)	do	do	May 31, 1975.
Newport Municipal Incinerator	Newport	12.2.2(c)	do	do	Dec. 31, 1973.
Narragansett Electric Co	Providence	8.2.	Nov. 21, 1973	Nov. 23, 1973	Mar. 22, 1974.

(d) *Federal compliance schedules.* The compliance schedules for the sources identified below are promulgated herein in satisfaction of the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Effective date	Final compliance date
Woonsocket Municipal Incinerator	Woonsocket	12.2.2(c)	Immediately	May 31, 1975.

[38 FR 16168, June 20, 1973, as amended at 38 FR 16352, June 22, 1973; 38 FR 22747, Aug. 23, 1973; 39 FR 3824, Jan. 30, 1974; 51 FR 40676, 40677, Nov. 7, 1986]

§ 52.2078 Enforcement.

(a) Sections 23-25-5(h) and 23-25-8(a) of the General Laws of Rhode Island are disapproved insofar as they permit the Rhode Island Director of the Department of Health to issue abatement orders (1) that defer compliance with plan requirements beyond the dates required for attainment of the national standards, (2) without the approval of the Administrator, and (3) for reasons not permitted by the Clean Air Act.

(b) Regulation limiting administrative abatement orders. (1) No order deferring compliance with a requirement of the Rhode Island Implementation Plan shall be issued by the Director of the Department of Health which does not meet the following requirements:

(i) An order must require compliance with the plan requirement within the times and under the conditions specified in § 51.261 (a) and (b) of this chapter.

(ii) An order may not defer compliance beyond the last date permitted by section 110 of the Act for attainment of the national standard which the plan implements unless the procedures and conditions set forth in section 110(f) of the Act are met.

(iii) An order shall not be effective until it has been submitted to and approved by the Administrator in accordance with §§ 51.104, 51.105, 51.261 and 51.262(a).

(2) Notwithstanding the limitations of paragraph (b)(1)(ii) of this section, an order may be granted which provides for compliance beyond the statutory attainment date for a national standards where compliance is not possible because of breakdowns or malfunctions of equipment, acts of God, or other unavoidable occurrences. However, such order may not defer compliance for more than three (3) months unless the procedures and conditions set forth in section 110(f) of the Act are met.

[38 FR 18879, 18880, July 16, 1973, as amended at 38 FR 30873, Nov. 8, 1973; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

§ 52.2079 [Reserved]

§ 52.2080 Revisions.

(a) The revision procedures of the Rhode Island plan are not adequate since the plan does not expressly provide for revisions at the times and under the conditions set forth in § 51.104 of this chapter.

(b) Regulation for plan revisions. (1) The Rhode Island implementation plan shall be revised:

(i) When necessary to take account of a revision of the national primary or secondary ambient air quality standard which it implements;

(ii) When improved or more expeditious methods of attaining a national standard which it implements become available;

(iii) When the Administrator finds that the plan is substantially inadequate to attain or maintain the national standard which it implements and issues notice of such finding pursuant to § 51.104 of this chapter.

(2) The Rhode Island implementation plan may be revised from time to time to the extent such revisions are consistent with the requirements applicable to implementation plans set forth in this chapter and the Act.

(3) No revisions shall be effective until the hearing requirements of § 51.102 of this chapter have been satisfied.

[38 FR 18879, 18880, July 16, 1973, as amended at 38 FR 30878, Nov. 8, 1973; 51 FR 40675, Nov. 7, 1986]

§ 52.2081 EPA-approved EPA Rhode Island state regulations.

The following table identifies the State regulations which have been approved by EPA and incorporated by reference into the Rhode Island State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.2070. To the extent that this table conflicts with § 52.2070, § 52.2070 governs.

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
	Air pollution control regulation.					
No. 1	Visible emissions	8/02/67	5/31/72	37 FR 10842	(b)	
		2/28/72	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 2	Handfiring of soft coal	8/02/67	5/31/72	37 FR 10842	(b)	
		2/28/72	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 3	Particulate emissions from industrial processes.	8/02/67	5/31/72	37 FR 10842	(b)	
		2/28/72	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12	
No. 4	Open fires	8/02/67	5/31/72	37 FR 10842	(b)	
		10/01/71	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
No. 5	Fugitive dust	8/02/67	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 6	Opacity monitors	8/02/67	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 7	Emission of air contaminants detrimental to persons or property.	8/02/67	5/31/72	37 FR 10842	(b)	
		7/19/77	5/07/81	46 FR 25446	(c)(12)	
No. 8	Sulfur content of fuels	10/01/71	5/31/72	37 FR 10842	(b)	
		5/28/74	11/03/75	40 FR 51044	(c)(8)	
			1/21/81	46 FR 5980	(c)(13)	Narragansett Electric Bubble.
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
			12/30/81	46 FR 63043	(c)(14)	Temporary Relaxation for Bradford Dye.
			11/10/82	47 FR 50[illegible]	(c)(16)	Temporary Relaxation for Kenyon Piece Dye Works.
		10/05/82	3/29/83	48 FR 13027	(c)(17)	Conversion/Conservation Incentive/Bubble.
			5/15/84	49 FR 20493	(c)(21)	URI Bubble.
		8/29/83	7/27/84	49 FR 30177	(c)(23)	Narragansett Electric (South Street).
		5/02/85	1/8/86	51 FR 756	(c)(24)	Requires sampling valve.
		12/16/85	8/1/86	51 FR 27538	(c)(25)	Temporary relaxation for Seville Dyeing Corporation in Woon-socket.
No. 9	Approval to construct, modify or operate.	10/03/71	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		4/12/81	5/07/81	46 FR 25446	(c)(12)	No action on 9.2.3(b) and 9.12.
		4/05/82	6/28/83	48 FR 29690	(c)(18)	NSR fully approved, 9.12 Emission Banking approved.
		2/13/84	7/6/84	49 FR 27749	(c)(22)	PSD fully approved, 9.2.3(b) approved.
		5/02/85	1/8/86	51 FR 756	(c)(24)	Additional BACT requirements.
No. 10	Air pollution episodes	2/28/72	5/31/72	37 FR 10842	(b)	

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		10/11/75	11/03/75	40 FR 51043	(c)(6)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 11	Petroleum liquids marketing and storage.	2/22/77	5/07/81	46 FR 25446	(c)(12)	
		7/05/79	5/07/81	46 FR 25446	(c)(12)	
		4/22/81	4/26/82	47 FR 17817	(c)(15)	
		1/20/87	9/1/87	52 FR 32920	(c)(30)	Amended Regulation No. 11, Subsection 11.4.5.
No. 12	Incinerators	2/28/72	6/22/73	38 FR 16351	(c)(3)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		4/22/81	4/26/82	47 FR 17817	(c)(15)	
No. 13	Particulate emissions from fossil fuel fired steam or hot water generating units.	1/17/73	10/23/73	38 FR 29296	(c)(14)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		7/05/79	5/07/81	46 FR 25446	(c)(12)	
		....	11/10/82	47 FR 50866	(c)(16)	Temporary Relaxation for Kenyon Piece Dye Works.
		10/05/82	3/29/83	48 FR 13027	(c)(17)	Conversion/Conservation Incentive.
No. 14	Record keeping and reporting.	5/14/73	1/15/76	41 FR 2231	(c)(10)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		7/05/79	5/07/81	46 FR 25446	(c)(12)	
No. 15	Control of organic solvent emissions.	8/21/75	5/07/81	46 FR 25446	(c)(12)	
		3/14/83	7/06/83	48 FR 31026	(c)(19)	Includes 100 TPY RACT Reg/Generic Bubble Rule.
		6/6/85	12/11/86	51 FR 44605	(c)(27)	RACT for Stanley Bostitch under 15.5.
No. 16	Operation of air pollution control system.	2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 17	Odors	2/22/77	5/07/81	46 FR 25446	(c)(12)	

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
No. 18	Control of emissions from solvent metal cleaning.	7/5/79	5/07/81	46 FR 25446	(c)(12)	
		4/22/81	4/26/82	47 FR 17817	(c)(15)	
No. 19	Control of VOCs from surface coating operations.	11/13/79	5/07/81	46 FR 25446	(c)(12)	Conditional approval.
		4/05/82	7/06/83	48 FR 31026	(c)(19)	Removes Conditions/Generic Bubble Rule.
		9/12/85	8/31/87	52 FR 32794	(c)(28)	Compliance date extension for Keene Corporation under 19.3.
		1/20/87	9/1/87	52 FR 32920	(c)(30)	Amended Regulation No. 19, Subsection 19.7.1
		5/29/85	9/28/87	52 FR 36250	(c)(26)	Compliance date extension for James River Corp. in Johnston.
		12/31/86	2/10/88	53 FR 3890	(c)(29)	Alternative RACT for Kenyon Industries under 19.3.3.
No. 21	Control of VOCs from printing operations.	4/05/82	7/06/83	48 FR 31026	(c)(19)	Generic Bubble Rule.
		1/20/87	9/1/87	52 FR 32920	(c)(30)	Amended Regulation No. 21, subsection 21.8.1.

[50 FR 770, Jan. 7, 1985, as amended at 51 FR 756, Jan. 8, 1986; 51 FR 27538, Aug. 1, 1986; 51 FR 44605, Dec. 11, 1986; 52 FR 32794, Aug. 31, 1987; 52 FR 32920, Sept. 1, 1987; 52 FR 36250, Sept. 28, 1987; 53 FR 3890, Feb. 10, 1988]

§ 52.2082 Maintenance of national standards.

(a) The area listed below, which was identified by the State of Rhode Island, is hereby identified by the Administrator pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified area consists of the territorial area encompassed by the boundaries of the given jurisdictions.

(1) Metropolitan Providence Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, and photochemical oxidants.

(ii) Geographical composition of area:

In Kent County: the city of Warwick and the towns of Coventry, East Greenwich, and West Warwick.

In Newport County: the city of Newport and the towns of Middletown, Portsmouth and Tiverton.

In Providence County: the cities of Central Falls, Cranston, East Providence, Pawtucket, Providence, and Woonsocket; the towns of Cumberland, Johnston, Lincoln, North Providence, North Smithfield, and Smithfield.

In Washington County: the town of North Kingston.

[40 FR 18735, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2083 Significant deterioration of air quality.

(a) The Rhode Island plan, as submitted, is approved as meeting the requirements of Subpart 1, Part C, Title I, of the Clean Air Act.

[49 FR 27750, July 6, 1984]

§ 52.2084 Rules and regulations.

(a) Part D—Disapproval.

(1) On November 5, 1985, the Rhode Island Department of Environmental Management submitted a revision to the Rhode Island State Implementation Plan (SIP) for Arkwright Incorporated. This revision is an alternative reasonably available control technology determination for the control of volatile organic compounds (VOC) from three paper coating lines at Arkwright Incorporated's Fiskeville, Rhode Island facility. As a result of EPA's disapproval of this revision, the existing VOC rules applicable to Arkwright Incorporated and contained in the Rhode Island SIP remain in effect (Rhode Island Air Pollution Control Regulation No. 19 as approved by EPA in 40 CFR 52.2080(c)(19)).

(b) *Non-Part D—No Action*—EPA is neither approving nor disapproving the following elements of the revisions:

(i) [Reserved]

(ii) Consultation.

(iii) Permit fees.

(iv) Stack height requirements.

(v) Public notification.

[46 FR 25460, May 7, 1981, as amended at 48 FR 31027, July 6, 1983; 50 FR 52461, Dec. 24, 1985; 52 FR 38764, Oct. 19, 1987]

§ 52.2085 Stack height review.

The State of Rhode Island has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. Such declarations were submitted to EPA on March 27, 1986. The State has further declared, in letters from Thomas D. Getz, dated October 15, 1985 and March 27, 1986, that "[R]hode Island will use the 8 July 1985 revised height regulations in administering section 9.18 of its new source review regulations." Thus, Rhode Island has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

Subpart PP—South Carolina

§ 52.2120 Identification of plan.

(a) Title of plan: "South Carolina Air Quality Implementation Plan."

(b) The plan was officially submitted on January 21, 1972.

(c) The plan revisions listed below were submitted on the dates specified:

(1) Miscellaneous non-regulatory additions to the plan submitted on May 4, 1972, by the South Carolina Pollution Control Authority.

(2) Letter requesting delegation of authority submitted on July 21, 1972, by the Governor.

(3) Miscellaneous wording changes in paragraph 2.B.4 of Regulation 1A; in Sections I.B., II.B, and II.C of Standard 1A; in Section II.D of Standards 2A and in paragraph II of Regulation 4A submitted on August 23, 1972, by the Governor.

(4) Compliance schedules submitted on February 16, 1973, by the South Carolina Pollution Control Authority.

(5) Categorical compliance schedule regulation submitted on August 16, 1973, by the South Carolina Department of Health and Environmental Control.

(6) Revised SO_2 emission limits for fuel combustion sources submitted on March 14, 1974, by the South Carolina Department of Health and Environmental Control.

(7) AQMA identification material submitted on March 22, 1974, by the South Carolina Department of Health and Environmental Control.

(8) Revised legal authority with respect to the public availability of emission data, submitted on October 15, 1975, by the Governor of South Carolina.

(9) Revised particulate emission limits for existing fuel burning sources and requirements for continuous in-stack monitoring and reporting of opacity by certain of these sources, submitted January 13 and March 30, 1977, by the South Carolina Department of Health and Environmental Control. (The revised particulate limits do not apply to International Paper Company's Georgetown facility or to the South Carolina Electric and Gas Company's Hagood Plant in

Charleston; for these two sources, the plan's original emission limits continue to apply.)

(10) Permit changes, specified below, were submitted by the South Carolina Department of Health and Environmental Control on May 9, 1979. These changes provide emissions offset for R. R. Donnelley and Sons Company, and apply to M. Lowenstein and Sons, Inc., as follows:

(i) Operating permit number O/P-42-167 for the operation of five (5) Kingsley Roller Print Dryers (Nos. 3, 4, 5, 6, and 7) is cancelled with these dryers not to be operated after June 1, 1979.

(ii) Operating permit number O/P-42-170 through O/P-42-179 for screen print machine Nos. 3, 4, 5, 6, 7, 8, 10, 11, and 12 are reissued to reflect the total and permanent transition from solvent-based print pastes to water-based print pastes on these machines as of June 1, 1979.

(11) 1979 implementation plan revision for nonattainment areas, submitted on December 20, 1978, by the South Carolina Department of Health and Environmental Control.

(12) Variance granted to Bowater Carolina Corporation until April 1, 1981, for increased particulate emissions and opacity limits, and revised regulation 61.62.1(B)(II), submitted on April 24, 1980, by the South Carolina Department of Health and Environmental Control.

(13) Changes in and supplements to 1979 implementation plan revisions for nonattainment areas, submitted on April 4, June 13, July 6, August 14, August 22, 1979, and on April 29, 1981, by the South Carolina Department of Health and Environmental Control. Included are a special operating permit for Macalloy Corporation and the following regulation changes:

R. 62.5, Standard No. 5, Section II, revised definition of VOC (formerly located in R. 62.5, Standard No. 5, Section I, Part A);

R. 62.5, Standard No. 5, Section II, revised VOC regulation-Petroleum liquid storage tanks (formerly R. 62.5, Standard 5, Section II, Part B);

R. 62.1, Section I, revised definition of "fugitive dust";

R. 62.5, Standard No. 5, Section I, Part E—VOC—Case-by-Case Exceptions;

R. 62.5, Standard No. 1, Section I, Part C—VE—Special Provisions.

(14) Revisions in emergency episode plan, submitted on September 10, 1980, by the South Carolina Department of Health and Environmental Control.

(15) Air quality surveillance plan revision to satisfy the requirements of 40 CFR Part 58, submitted on March 10, 1980 by the South Carolina Department of Health and Environmental Control.

(16) Provision for public participation to satisfy section 127(a) of the Clean Air Act, submitted on March 10, 1980 by the South Carolina Department of Health and Environmental Control.

(17) Standard No. 6, Alternative Emission Reduction Options, submitted on June 17, 1981, by the South Carolina Department of Health and Environmental Control.

(18) Set II VOC regulations, submitted on September 10, 1980, by the South Carolina Department of Health and Environmental Control.

(19) Alternative compliance schedule for Cryovac Division of W. R. Grace, Simpsonville, submitted on January 5, 1981, by the South Carolina Department of Health and Environmental Control.

(20) Implementation plan for lead, submitted on May 1, 1980, by the South Carolina Department of Health and Environmental Control.

(21) Prevention of significant deterioration SIP, submitted on April 14, 1981, by the South Carolina Department of Health and Environmental Control.

(22) Provision for variance from conditions of operating permits, submitted on June 7, 1982, by the South Carolina Department of Health and Environmental Control.

(23) Revised visible emissions standard for incinerators and revised regulation for alternate emission limitation options (bubbles), submitted on June 7, 1982, by the South Carolina Department of Health and Environmental Control. EPA is not taking action on that portion of this regulation (Regulation No. 62.5, Standard No. 6, Section II, Part D) pertaining to alterna-

tive emission limitation options for designated pollutants subject to regulation under section 111(d) of the Clean air Act.

(24) Special Operating Permit for South Carolina Electric and Gas Company-Williams Power Station, submitted on June 25, 1982, by the South Carolina Department of Health and Environmental Control.

(25) Visibility new source review regulations and narrative visibility SIP were submitted to EPA on June 3, 1985.

(i) Incorporation by reference.

(A) Letter of June 3, 1935, from the South Carolina Department of Health and Environmental Control, and amendments to Regulation No. 62.5, Standard No. 7, Section IV, Part H; Regulation No. 62.5, Standard No. 7, Section IV, Part E; and Regulation No. 62.5, Standard No. 7, Section I, Part CC, adopted by the South Carolina Board of Health and Environmental Control on May 21, 1985.

(ii) Additional material.

(A) Narrative section, titled "Visibility Protection Control Strategy", adopted by the South Carolina Board of Health and Environmental Control on May 21, 1985.

(26) Changes in Regulations 62.2, 62.3, and 62.5, submitted on March 3, May 5, and July 11, 1983 by the South Carolina Department of Health and Environmental Control.

(27) On March 3, and August 17, 1983 and September 5, 1984, Appendix B, a Methodology Manual for use with Standards for Volatile Organic Compounds, and on May 12, 1983, and January 23, 1980, studies for Appendix J, Transportation Control Plans for Columbia and Charleston, were submitted to EPA by the South Carolina Department of Health and Environmental Control.

(28) Stack height regulations were submitted to EPA on June 11, 1986.

(i) Incorporation by reference.

(A) Letter of June 11, 1986, from the South Carolina Department of Health and Environmental Control transmitting stack height regulations.

(B) Regulation 62.7, Good Engineering Practice Stack Height, adopted on April 24, 1986, and effective on May 23, 1986.

(C) Addition of item 10 to Section I, Definitions, of regulation 62.1, adopted on April 24, 1986, and effective on May 23, 1986.

(D) Addition of item A.2.f to Section II, Permit Requirements, of regulation 62.1, adopted on April 24, 1986, and effective on May 23, 1986.

(ii) Other material—none.

(29) Process opacity monitoring requirements were submitted to EPA on March 24, 1986 and July 8, 1986.

(i) Incorporation by reference.

(A) Letter of March 24, 1986 to EPA from the South Carolina Department of Health and Environmental Control, and amendments to Air Pollution Control Regulation No. 62.5, Standard No. 4, which was effective on February 28, 1986.

(ii) Other material—none.

[37 FR 10892, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2120, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2121 Classification of regions.

The South Carolina plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidents (hydrocarbons)
Augusta (Georgia)-Aiken (South Carolina) Interstate	I	I	III	III	III
Metropolitan Charlotte Interstate	I	II	III	III	I
Camden-Sumter Intrastate	II	III	III	III	III
Charleston Intrastate	I	I	III	III	III
Columbia Intrastate	II	III	III	III	III
Florence Intrastate	III	III	III	III	III
Georgetown Intrastate	II	III	III	III	III
Greenville-Spartanburg Intrastate	I	III	III	III	III

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Greenwood Intrastate	III	III	III	III	III
Savannah (Georgia)-Beaufort (South Carolina) Interstate	I	I	III	III	III

§ 52.2122 Approval status.

With the exceptions set forth in this subpart, the Administrator approves South Carolina's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted elsewhere in this subpart. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTG's issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 6575, Jan. 29, 1980]

§ 52.2123 Compliance schedules.

(a) [Reserved]

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

SOUTH CAROLINA

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Bowaters Carolina Corp., Emission Points 3 and 4.	Catawba	S5A–II, R4A–II, R4A–III.	Jan. 5, 1973	Immediately	July 12, 1973.
Burlington Industries, Inc., Batesburg Plant.	Batesburg	S2A–I, R4A–II, R4A–III.	Jan. 8, 1973	do	Dec. 31, 1973.
Carolina Power & Light Co., H.B. Robinson Unit No. 1.	Hartsville	S2A–I, R4A–II, R4A–III.	Jan. 15, 1973	do	July 1, 1974.
Celanese Fibers Co., Celriver Plant.	Rock Hill	S2A–I. R4A–II, R4A–III.	Jan. 19, 1973	do	July 12, 1973.
Cone Mills Corp., American Spinning Plant.	Greenville	S2A–I, R4A–II, R4A–III.	Jan. 12, 1973	do	July 1, 1974.
Dan River, Inc., Easley Plant	Easley	S2A–I, R4A–II, R4A–III.	Jan. 11, 1973	do	Do.
Dan River, Inc., Woodside Division.	Fountain Inn	S2A–I, R4A–II, R4A–III.	do	do	Do.
Duke Power Co., Lee Plant Unit 1.	Anderson County.	S2A–I, R4A–II	Jan. 12, 1973	do	Dec. 31, 1973.
E. I. Dupont de Nemours and Co., May Plant.	Camden	S1A, S2A–I, R4A–III.	Jan. 11, 1973	do	July 1, 1974.
Eastern Carolina Steel	Darlington	S5A–VII, R4A–II, R4A–III.	Jan. 15, 1973	do	July 12, 1973.
Georgetown Steel Corp	Georgetown	S5A–VII, R4A	June 27, 1972	do	Dec. 14, 1973.
Giant Portland Cement Co., Kiln No. 1.	Harleyville	S5A–IV, R4A	Sept. 26, 1972	do	Mar. 30, 1974.
Giant Portland Cement Co., Kiln No. 2.	do	S5A–IV, R4A	do	do	Jan. 15, 1973.
Giant Portland Cement Co., Kiln No. 3.	do	S5A–IV, R4A	do	do	Mar. 15, 1973.
W. R. Grace and Co	Charleston	S5A–I, R4A	Oct. 19, 1973	do	July 1, 1973.
Industrial Minerals, Inc	York	S5A–VII, R4A–II, R4A–III.	Jan. 18, 1973	do	May 11, 1973.
International Paper Co., Inc., recovery boiler and evaporator No. 1.	Georgetown	S5A–II, R4A	Dec. 5, 1972	do	Aug. 15, 1973.

SOUTH CAROLINA—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
International Paper Co., Inc., Lime kilns Nos. 1, 2, and 3.	do	S5A-II, R4A	do	do	July 15, 1974.
Marion Lumber Co., Inc	Marion	S2A-I, R4A-II, R4A-III.	Jan. 2, 1973	do	July 1, 1974.
Santee Portland Cement Corp., kiln.	Santee	S5A, R4A	Sept. 26, 1972	do	Mar. 30, 1974.
Santee Portland Cement Corp., marl dryer.	do	S5A-III, S5A-IV, R4A.	do	do	Do.
South Carolina Industries Inc., existing lime kiln, new lime kiln and new recovery boiler.	Florence	S5A-II, R4A-II, R4A-III.	Feb. 1, 1973	do	July 1, 1975.
South Carolina Public Service Authority, Grainger Plant Units Nos. 1 and 2.	Conway	S2A-I, R4A	Jan. 29, 1973	do	Do.
South Carolina Public Service Authority, Jeffries Plant Unit No. 3.	Moncks Corner	S2A-I, R4A	Dec. 29, 1972	do	Apr. 13, 1973.
Spring Mills, Inc., foundry and machine shop.	Lancaster	S5A-VII, R4A-II, R4A-III.	Jan. 10, 1973	do	Sept. 15, 1973.
Spring Mills, Inc., Grace Steam Plant Units Nos. 1, 2, 3, and 4.	do	S2A-I, R4A	Feb. 15, 1973	do	July 1, 1974.
J. P. Stevens and Co., Inc., Victor Plant.	Greer	S2A-I, S2A-II, R4A.	Jan. 11, 1973	do	July 12, 1973.
U.S. Atomic Energy Commission, Savannah River Plant, Area 400-D Units 1, 2, 3, and 4.	Aiken County	S2A-I, R4A-II	Jan. 24, 1973	do	July 1, 1974.
Vulcan Materials Co	Blacksburg	S5A-III, R4A-II, R4A-III.	Jan. 15, 1973	do	Do.
Waterloo Lumber Co	Laurens	S1A-I, R4A	May 29, 1972	do	Dec. 8, 1972.
W. R. Grace and Co., Kearney Expanding plant, Expanding furnaces.	Enoree	R2.6 Std., No. 5, Sec., VII R2.4.	Feb. 15, 1973	do	Nov. 5, 1973.
W. R. Grace and Co., Kearney Expanding plant, Rotary kiln.	do	R2.6 Std., No. 5, Sec., VII R2.4.	do	do	Mar. 1, 1974.
W. R. Grace and Co., Travelers Rest plant.	Travelers Rest	R2.6 Std. No., 5, Sec. VII.	do	do	Dec. 1, 1973.
J. M. Huber Corp., Graniteville plant.	Graniteville	R2.6, Std., No 5,, Sec. VII, R2.4-II, R2.4-III.	Jan. 4, 1973	do	July 12, 1973.
J. M. Huber Corp., Langley plant	Langley	R2.6, Std., No 5,, Sec. VII, R2.4-II, R2.4-III.	do	do	Do.
National Kaoline Products Co	Aiken	R2.6, Std., No 5,, Sec. VII, R2.4-II, R2.4-III.	Jan. 2, 1973	do	Do.
Patterson Vermiculite Co	Enoree	R2.6, Std., No 5,, Sec. VII, R2.4-II, R2.4-III.	do	do	Do.
U.S. Plywood, Catawba Manufacturing division.	Catawba	R2.6, Std., No 5,, Sec. VII, R2.4.	Feb. 15, 1973	do	Mar. 1, 1974.

[38 FR 16168, June 20, 1973, as amended at 38 FR 22747, Aug. 23, 1973; 38 FR 24342, Sept. 7, 1973; 39 FR 4082, Feb. 1, 1974; 40 FR 3569, Jan. 23, 1975; 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.2124 Legal authority.

(a)–(c) [Reserved]

(d) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

[37 FR 10892, May 31, 1972, as amended at 39 FR 7284, Feb. 25, 1974; 41 FR 10065, Mar. 9, 1976; 51 FR 40676, Nov. 7, 1986]

§ 52.2125 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of South Carolina.

[39 FR 7284, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2126 [Reserved]

§ 52.2127 Extensions.

The Administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submission of South Carolina's plan for attainment and maintenance of the secondary standards for particulate matter in the Georgetown and Charleston nonattainment areas identified in § 81.341 of this chapter.

[45 FR 6576, Jan. 29, 1980]

§ 52.2128 Attainment dates for national standards.

The following table represents the latest dates by which the national standards are to be attained. These dates reflect the information presented in South Carolina's plan.

Air quality control region	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Augusta (Georgia)-Aiken (South Carolina) Interstate	c	c	c	c	b	b	b
Metropolitan Charlotte Interstate:							
a. York County nonattainment area	b	b	b	b	b	b	e
b. Rest of AQCR	c	c	c	c	b	b	c
Camden-Sumter Intrastate	c	c	b	b	b	b	b
Charleston Intrastate:							
a. Charleston nonattainment area	e	f	c	d	b	b	e
b. Charleston and Berkeley Counties nonattainment area	c	c	c	d	b	b	e
c. Rest of AQCR	c	c	c	c	b	b	b
Columbia Intrastate:							
a. Columbia city limits nonattainment area	c	c	b	b	b	e	b
b. Columbia nonattainment area-Richland and Lexington Counties	c	c	b	b	b	b	e
c. Rest of AQCR	c	c	b	b	b	b	b
Florence Intrastate	b	b	b	b	b	b	b
Georgetown Intrastate:							
a. Georgetown nonattainment area	e	f	b	b	b	b	b
b. Rest of AQCR	c	c	b	b	b	b	b
Greenville-Spartanburg Intrastate	c	c	b	b	b	b	b
Greenwood Intrastate	b	b	b	b	b	b	b
Savannah (Georgia)-Beaufort (South Carolina) Interstate	c	c	c	c	b	b	b

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. July 1975.
d. July 1979.
e. December 31, 1982.
f. 18-month extension.

NOTE: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR Part 52 (1978). Nonattainment areas designated under section 107 of the Clean Air Act are listed in § 81.341 of this chapter.

[45 FR 6576, Jan. 29, 1980]

§ 52.2129 Maintenance of national standards.

(a) The areas listed below which were identified by the State of South Carolina are hereby identified by the Administrator pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Charleston Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

The contiguous portions of Charleston and Berkeley Counties lying within the boundary of a line described as follows: Starting at the intersection of U.S. 17 and Church Creek, and proceeding thence northward to the intersection of the Ashley River and the Dorchester County line, northeastward to the intersection of U.S. 52 and State Highway 9, eastward to the intersection of Durham Creek and West Branch Cooper River, southward along the Cooper River to Red Bank Landing, eastward to the town of Cainhoy, southward along State Highway 41 to its intersection with U.S. 17, and westward along U.S. 17 to and ending at Church Creek.

(2) Greenville Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

The portion of Greenville County lying within the boundary of a line described as follows: Starting at the intersection of U.S. 25 By-Pass and State Highway 253, and proceeding thence northeastward along Highway 253 to the intersection with the State Highway 46, southeastward to the intersection of State Highway 291 and U.S. 29, northeastward along U.S. 29 to the Greenville-Spartanburg County Line, southward along the County line for 2½ miles, southwestward in an arc paralleling U.S. 29 to an intersection with I-385, southeastward along I-385 to its intersection with I-85, southwestward along I85 to its intersection with U.S. 25 By-Pass, and northeastward along U.S. 25 By-Pass to and ending at State Highway 253.

[40 FR 18736, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2130 [Reserved]

§ 52.2131 Significant deterioration of air quality.

(a)-(b) [Reserved]

(c) All applications and other information required pursuant to § 52.21 from sources located in the State of South Carolina shall be submitted to the Office of Environmental Quality Control, Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201, instead of the EPA Region IV office.

[42 FR 4124, Jan. 24, 1977, as amended at 47 FR 6018, Feb. 10, 1982]

§ 52.2132 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of South Carolina.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of South Carolina.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart QQ—South Dakota

§ 52.2170 Identification of plan.

(a) Title of plan: "Air Pollution Control Regulations and Implementation Plan for the State of South Dakota."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Request for delegation of authority submitted January 27, 1972, by the Governor.

(2) Clarification of control regulations (section 1.8.4) submitted April 27, 1972, by the State Department of Health.

(3) Clarification of control regulations (section 1.8.4) submitted May 2, 1972, by the Governor.

(4) On December 4, 1975, the Governor of South Dakota submitted revisions and additions to the air pollution control regulations (Article 34:10 of the Administrative Rules of South Dakota). The submittal updated rules and regulations; review procedures for new and modified direct sources; variance and enforcement procedure revisions; episode procedure changes; and the addition of new source performance standards similar to those of EPA.

(5) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977 were submitted on January 3, 1979.

(6) A new control strategy for Brookings, South Dakota was submitted on April 16, 1979.

(7) On January 21, 1980, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR Part 58, Subpart C, § 58.20, and Public Notification required under section 127 of the Clean Air Act.

(8) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, were submitted on October 16, 1980.

(9) On September 13, 1982, the Governor submitted a plan revision for a new control strategy for Brookings, South Dakota and an amendment to the opacity regulation for alfalfa pelletizers.

(10) On May 4, 1984, the Governor submitted a plan revision for lead and repealed the hydrocarbon standard.

[37 FR 15089, July 27, 1972, as amended at 41 FR 8966, Mar. 2, 1976; 41 FR 32744, Aug. 5, 1976; 44 FR 44495, July 30, 1979; 44 FR 46846, Aug. 9, 1979; 45 FR 58529, Sept. 4, 1980; 46 FR 54542, Nov. 3, 1981; 48 FR 31200, July 7, 1983; 49 FR 37753, Sept. 26, 1984]

§ 52.2171 Classification of regions.

The South Dakota plan evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Sioux City Interstate	III	III	III	III	III
Metropolitan Sioux Falls Interstate	II	III	III	III	III
Black Hills—Rapid City Intrastate	III	III	III	III	III
South Dakota Intrastate	III	III	III	III	III

[37 FR 10893, May 31, 1972]

§ 52.2172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves South Dakota's plan as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D of the Clean Air Act, as amended in 1977.

[46 FR 54542, Nov. 3, 1981]

§ 52.2173 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since the South Dakota Compiled Law 34-16A-21 provides that data which relates to processes or production unique to the owner or which tend to adversely affect a competitive position of the owner shall be held confidential.

(b) Delegation of authority: Pursuant to section 114 of the Act, South Dakota requested a delegation of authority to enable it to collect, correlate and release emission data to the public. The Administrator has determined that South Dakota is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to South Dakota his authority under sections 114(a) (1) and (2) and section 114(c) of the Act, i.e., authority to collect, correlate, and release emission data to the public.

[37 FR 15089, July 27, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2174 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in South Dakota's plan.

Air quality control region and nonattainment area	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Metropolitan Sioux City Interstate	c	c	c	c	c	c	c
Metropolitan Sioux Falls Interstate	b	a	c	c	c	c	c
Black Hills-Rapid City Intrastate:							
a. Rapid City nonattainment area	d	d	c	c	c	c	c
b. Remainder of AQCR	c	c	c	c	c	c	c
South Dakota	c	c	c	c	c	c	c

a. July 1975.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.
d. December 31, 1982.

[44 FR 44495, July 30, 1979]

§ 52.2175 [Reserved]

§ 52.2176 Maintenance of national standards.

(a) The requirements of § 51.110(h) of this chapter are not met since the State neither identified areas of the State which have the potential for violation of air quality standards within 10 years nor provided a justification that there are no such areas in the State.

(b) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial areas encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f) geographically located within the outermost boundaries of the areas so delimited.

(1) Black Hills Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Custer County, Lawrence County, Meade County, Pennington County.

(2) Sioux Falls Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Lincoln County, Minnehaha County.

[40 FR 23756, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2177 [Reserved]

§ 52.2178 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality.

The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of South Dakota.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.2179 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of South Dakota.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of South Dakota.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart RR—Tennessee

§ 52.2220 Identification of plan.

(a) Title of plan: "Tennessee Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification of public hearing submitted on February 3, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(2) Miscellaneous corrections to emission inventories submitted on February 10, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(3) Statements of intent for intergovernmental cooperation submitted on April 13, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(4) City of Memphis Air Pollution Control Code submitted on April 27, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health and the Memphis and Shelby County Health Department.

(5) Minor addition to the Tennessee Code, Section 53-3422, submitted on May 3, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(6) Clarifying comments on the plan submitted on May 8, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(7) Statement of public availability of emission data submitted on May 12, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(8) Miscellaneous changes to Chapters II, III, VII, IX and XII of the plan; regulations of Memphis-Shelby County and Knoxville-Knox County and resolutions concerning local programs of Davidson, Hamilton and Shelby Counties submitted on August 17, 1972, by the Governor.

(9) Revised emission limits for asphalt plants, cotton gins and Kraft mills and establishment of new source performance standards submitted on February 16, 1973, by the Tennessee Department of Public Health.

(10) Compliance schedules submitted on March 23, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(11) Compliance schedules submitted on April 16, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(12) Certification of public hearing on February 16, 1973, submission submitted on April 30, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(13) Compliance schedules submitted on May 15, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(14) Clarifying comments on the February 16, 1973, submission submitted on May 25, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(15) Miscellaneous changes to Chapters II through IV and VI through XIII of the plan, miscellaneous nonregulatory additions, certification of public hearing and compliance schedules submitted on June 8, 1973, by the Division of Air Pollution Control of

the Tennessee Department of Public Health.

(16) Categorical compliance schedule regulation for SO_2 submitted on June 27, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(17) Compliance schedules submitted on July 3, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(18) Hamilton County Air Pollution Control Regulations and miscellaneous non-regulatory additions to the plan submitted on July 18, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health and the Chattanooga-Hamilton County Air Pollution Control Bureau.

(19) Compliance schedules submitted on July 20, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(20) Chapter IV of the Metropolitan Code for the Metropolitan Government of Nashville and Davidson County submitted on August 13, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health and the Metropolitan Health Department of Nashville and Davidson County.

(21) Revisions to Chapters II, VI, VII, IX, and XIV of the plan concerning SO_2 emissions submitted on October 12, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(22) Compliance schedules submitted on October 15, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(23) Compliance schedules submitted on October 16, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(24) Compliance schedules submitted on December 26, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(25) Addition to Subparagraph F, Section I, Chapter XIV submitted on January 17, 1974, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(26) Compliance schedules submitted on February 20, 1974, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(27) Revised emission limits for combustion and process sources of sulfur dioxide, submitted on April 30, 1976, by the Division of Air Pollution Control of the Tennessee Department of Public Health. (The provision for an alternative basis for regulating process sources in Shelby County is given conditional approval; any exercise of this provision must be made the subject of a plan revision.)

(28) Regulations providing for continuous monitoring by existing sources, submitted on May 22, 1977, by the Division of Air Pollution Control of the Tennessee Department of Public Health for the Metropolitan Health Department of Nashville and Davidson County.

(29) Regulations providing for continous monitoring of existing sources, control of vinyl chloride emissions, review of new sources in nonattainment areas, control of emissions from wood-fired boilers, change in diffusion equation limiting particulate emissions, conflict of interest rules and miscellaneous other changes, submitted on May 3 and June 22, 1978, by the Tennessee Department of Public Health, Division of Air Pollution Control.

(30) 1979 implementation plan revisions for nonattainment areas, submitted on February 13 and April 12 and 27, 1979, by the Tennessee Division of Air Pollution Control (Bristol, Lafollettee, Jacksboro, Sumner Co., Anderson/Knox Counties, Copperhill, Johnsonville area, Shelby Co., and Knox Co.)

(31) Requests for an 18-month extension of the statutory timetable for submitting plans to attain and maintain the secondary ambient standard for particulate matter in the Chattanooga, Columbia, Kingsport, Memphis, and Nashville nonattainment areas, submitted on May 4, 9, and 17, and June 21 and 22, 1979, by the Tennessee Department of Public Health.

(32) Regulation 1200-3-9-.01-(4) for the review of new sources adopted on March 21, 1979, with a State effective date of June 21, 1979, and submitted on April 12, 1979, pursuant to the requirements of § 51.24 of this chapter

(1978 edition) by the Tennessee Division of Air Pollution Control.

(33) 1979 implementation plans for the Nashville TSP and CO nonattainment areas and Statewide ozone nonattainment areas, including regulations Number 3, and Number 7 for Nashville-Davidson County adopted on April 11, 1979 and March 14, 1979, which were submitted on May 15, 1979, and regulations 1200-3-18-.01 through .47, adopted on March 14, April 11, June 20 and 28, 1979, and May 1, 1980, and submitted on June 28, July 2, 1979, and May 8, 1980, by the Tennessee Department of Public Health.

(34) 1979 implementation plan revisions for the Kingsport TSP nonattainment area, submitted on August 15, 1979, by the Tennessee Department of Public Health.

(35) Regulation 1200-3-14-.01, -.02, -.03 for control of sulfur dioxide emissions, adopted on July 1, 1979, with a State effective date of November 16, 1979, and submitted on June 29, 1979, by the Tennessee Department of Public Health.

(36) [Reserved]

(37) Transportation related commitments and schedules, submitted on March 20 and December 17, 1980, by the Tennessee Division of Air Pollution Control to correct deficiencies in the Memphis CO plan given conditional approval on February 6, 1980.

(38) Air quality surveillance plan submitted on April 23, 1980, by the Tennessee Department of Public Health.

(39) Set II VOC regulations, submitted on December 31, 1980, by the Tennessee Department of Public Health.

(40) Davidson County and Hamilton County implementation plans for lead, submitted on August 19, 1981, by the Tennessee Department of Public Health.

(41) Revisions involving the following regulations—

Rule 1200-3-11-.02(2)(1)5.(ii): Asbestos;
Rule 1200-3-12-.04(2)(c): Large Existing Fuel Burning Installations;
Rule 1200-3-18-.02(1)(ii): Definitions: Volatile Organic Compounds;
Rule 1200-3-18-.04: Alternative Emission Standard; and
Rule 1200-3-18-.42(3): Individual Compliance Schedules—submitted on September 30, 1981, by the Tennessee Department of Public Health.

(42) Alternative VOC compliance schedule for Werthan Industries, Inc., Nashville, submitted on October 9, 1981, by the Tennessee Department of Public Health.

(43) Revision to the Volatile Organic Compound (VOC) definition, submitted on August 27, 1980, by the Tennessee Department of Public Health.

(44) Miscellaneous nonregulatory revisions submitted on October 25, 1979, March 20, 1980, May 5, 1980, August 15, 1980, and November 5, 1981, and miscellaneous regulatory revisions submitted on February 6, 1979 (change in Chapter 6), on June 13, 1979 (changes in Chapters 2, 4, 6, 7, and 8), on September 27, 1979 (change in Chapter 16), on October 15, 1979 (changes in Chapters 1, 2, 7, 11, 16, and 19), on November 23, 1979 (changes in Chapters 6, 9, 12, 16, 18, and 20), on February 19, 1980 (changes in Chapters 2 and 12), October 25, 1980 (changes in Chapters 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 14), on August 26, 1981 (changes in Chapters 5, 9, 14, 15, 16, 18, and 19), on September 30, 1981 (change in Chapter 16), on December 9, 1981 (changes in Chapters 2, 16, 18, 19, and 20), and on January 22, 1982 (changes in Chapters 2, 5, 7, 8, 12, 16, 18, 19, and 21).

(45)(i) Materials developed to meet conditions on the approval of the 1979 revisions for the Nashville and Kingsport primary TSP nonattainment areas, submitted on September 30, 1980, and December 17, 1980, respectively, by the Tennessee Department of Public Health. Additional materials for Kingsport were submitted on August 27, 1981.

(ii) 1979 revisions for the Copperhill secondary SO_2 nonattainment area, submitted on August 15, 1980, by the Tennessee Department of Public Health.

(iii) 1979 revisions for the Kingsport secondary TSP nonattainment area, submitted on May 8, 1980, by the Tennessee Department of Public Health.

(46) Miscellaneous changes in Chapters 1200-3-5, 10, 12, 18, and 20, submitted on December 9, 1981, and miscellaneous changes in Chapters 1200-3-2, 5, 7, 9, 12, 16, 18, submitted on

January 22, 1982, by the Tennessee Department of Public Health.

(47) Metropolitan Nashville-Davidson County Set II VOC Regulation, submitted on August 27, 1980 and January 23, 1981, by the Tennessee Department of Public Health.

(48) Extended compliance schedules for five sources of VOC, and operating permit for Du Pont de Nemours Company's scrub solids kiln at New Johnsonville, submitted on February 12, 1982, by the Tennessee Department of Public Health.

(49) Part D revisions for the Chattanooga primary TSP nonattainment area, submitted on August 31, 1981, and December 22, 1982, by the Tennessee Department of Public Health. (No action is taken on the definition of "reconstruction" contained in the revisions.)

(50) Certain State permits for the Kingsport area, and a visible emission technique for nontraditional fugitive dust sources (Method 1) submitted on May 10, 1982; and a revision entitled Standard of Performance for Storage Vessels for Petroleum Liquids Contracted after May 18, 1978, (1200-3-16-/.09a) submitted May 5, 1982, by the Tennessee Department of Public Health.

(51) Changes in visible emission evaluation technique for nontraditional sources, submitted on September 29, 1982, by the Tennessee Department of Public Health.

(52) VOC compliance schedule extension for Knowlton Brothers, Chattanooga, submitted on August 3, 1982, by the Tennessee Department of Public Health.

(53) Knox County plan for lead, submitted on March 1, 1983, by the Tennessee Department of Public Health.

(54) Revisions to the Part D ozone plan for the Nashville-Davidson County nonattainment area, submitted on June 30, 1982, by the Tennessee Department of Public Health.

(55) Nashville-Davidson County regulations for prevention of significant deterioration and for new source review in nonattainment areas, submitted on October 9, 1981 (revised regulation no. 3), June 3 and November 22, 1982 (changes in revised regulation no. 3 and in Chapter Four of the Metropolitan Code of Nashville and Davidson County), and regulations submitted on June 3, 1982, for the control of volatile organic compounds, determination of good engineering practice stack height, and permits for an equivalent opacity standard for Ford Motor Company, by the Tennessee Department of Public Health.

(56) 1982 revisions in the Part D CO SIP for the Nashville-Davidson County nonattainment area (except TCM portion approved on September 13, 1985), submitted on June 30, 1982, and June 14, 1985.

(i) Incorporation by reference.

(A) Metropolitan Health Department Pollution Control Division Regulation No. 8 for Inspection and Maintenance (I/M) adopted on May 13, 1981; and revised on June 12, 1985, and February 15, 1984.

(B) Metropolitan Nashville and Davidson County's Carbon Monoxide Reasonable Further Progress (RFP) curve adopted on May 8, 1985.

(ii) Other material.

(A) Narrative adopted June 16, 1982.

(B) Public awareness program mechanics training program adopted May 8, 1985.

(57) Regulatory revisions (changes and additions in regulations 1200-3-5-.11, 1200-3-12-.04-(4), 1200-3-16-.01-(5), 1200-3-16-.14, 1200-3-16-.32, 1200-3-16-.33, 1200-3-18-.02(1)(hh), 1200-3-18-.02(ii), 1200-3-18-.03(1)(b), 1200-3-18-.21(5), and 1200-3-18-.22(2), 1200-3-19-.03 (g), (h) and addition of regulation 1200-3-18-.30) submitted on April 22, 1983, and nonregulatory revisions (changes in sections 2.15 and 2.12.E.2, 2.8.1, and eleven permits for sources in the Kingsport area) submitted on April 14, 1983, by the Tennessee Department of Health and Environment.

(58) Materials related to attainment status designations of various areas, submitted on January 19, 20, and 21, February 9, March 4, 14, and 22, April 6, and June 1, 1983, by the Tennessee Department for Health and Environment.

(59) Control strategy demonstration for lead, submitted on June 4, 1984, by the Tennessee Department of Health and Environment.

(60) Lead implementation plan for Memphis/Shelby County, submitted

on June 25, 1984, by the Tennessee Department of Health and Environment.

(61) Material related to a compliance schedule for Maremont Corporation in Pulaski, and two permits for the Kingsport Press in Kingsport, submitted on September 15, 1983, and January 16, 1984, by the Tennessee Department of Health and Environment.

(62) Regulations for the prevention of significant deterioration, submitted on December 9, 1981, April 22 and September 1, 1983, and clarifications submitted on September 5, 1984, and January 17, 1985 by the Tennessee Department of Health and Environment. (Action has been deferred on the phrase "except the activities of any vessel" in 1200-3-9-.01(4)(b) until EPA revises the definition of stationary source.)

(63) Changes in rules 1200-3-5-.01 (to revise general visible emission standards), 1200-3-2-.01 (to add definition of "calendar quarter"), 1200-3-12-.03 (to specify method for determining inorganic lead emissions in stack gases), 1200-3-14 (to revise monitoring requirements related to SO_2 control), and 1200-3-16-.01 (to specify method for determining particulate emissions from asphalt processing and roofing manufacture), submitted on October 17, 1984, and change in rule 1200-3-3 (to delete ambient air quality standard for hydrocarbons), submitted on December 5, 1984, by the Tennessee Department of Health and Environment.

(64) Changes in visible emission evaluation methods, submitted on September 26, 1984, by the Tennessee Department of Health and Environment.

(65) Changes in visible emission limitations for wood-fired fuel burning equipment (changes in regulations 1200-3-5-.06 and 1200-3-5-.07), submitted on October 17, 1984, and January 18, 1985, by the Tennessee Department of Health and Environment. Coverage of wood-fired fuel equipment was expanded to include units of 500.000 to 100,000,000 BTU per hour heat input in certain counties; the compliance determining technique was changed from the aggregate method to the six-minute average.

(66) State implementation plan for lead, submitted on December 5, 1984, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference. (A) Amendments to the Tennessee Air Pollution Control Regulations, Chapter 1200-3-22, Lead Emission Standards, as submitted, and State-effective on December 5, 1984.

(B) Operating permits for:

(*1*) Ross Metals, Inc., issued on December 5, 1984.

(*2*) General Smelting and Refining Company, issued on December 5, 1984.

(*3*) Tennessee Chemical Company, issued on December 5, 1984.

(ii) Additional information. (A) Control Strategy and modelling, submitted on June 4, 1984.

(67) Letter of commitment, submitted on December 20, 1984, by the Memphis-Shelby County Health Department.

(i) Incorporation by reference. (A) Letter of commitment on new source review for lead sources, submitted on December 20, 1984, by the Memphis County Health Department.

(ii) Additional information. (A) None.

(68) Revisions in the TCM portion of the 1982 CO SIP for Nashville-Davidson County, submitted on July 18, 1984, and adopted on June 4, 1984.

(i) Incorporation by reference. (A) Air Pollution Control Board of the State of Tennessee Board Order 13 84, which is a statement of intent to adopt two-cent gas tax equivalent measures in place of return of 1980 level of service in Nashville-Davidson County CO SIP TCM; and July 18, 1984 letter from the Tennessee Department of Health and Environment which approves the Metropolitan Nashville and Davidson County Legally Enforceable Limits and Schedules effective June 4, 1984.

(ii) Additional materials. (A) Revision of the calculations on reductions due to implementation of the Rideshare Program submitted on July 18, 1984.

(69) Tennessee Visible Emission Evaluation Method 3, was submitted on January 16 and June 14, 1985, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(*a*) January 16, 1985 letter from Tennessee Department of Health and Environment and Tennessee Visible Emission Evaluation Method 3, §§ 1, 2, and 5, became State-effective on December 12, 1984.

(*b*) June 14, 1985 letter from Tennessee Department of Health and Environment and Tennessee Visible Emission Evaluation Method 3, §§ 3 and 4, became State-effective on May 30, 1985.

(ii) Other material—none.

(70)—(71) [Reserved]

(72) Five Board Orders were submitted on January 29, 1986, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Board Order 2-86 from Tennessee Department of Health and Environment, became State-effective on January 15, 1986.

(B) Board Order 3-86 from Tennessee Department of Health and Environment, became State-effective on January 15, 1986.

(C) Board Order 5-86 from Tennessee Department of Health and Environment, became State-effective on January 15, 1986.

(ii) Other material—none.

(73) Tennessee Visible Emissions Evaluation Method 4 was submitted on May 28, 1986, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Tennessee Visible Emissions Evaluation Method 4, which became State-adopted on April 16, 1986.

(ii) Other material—none.

(74) Board Orders 7-86 and 11-86 were submitted on May 9, 1986, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Board Order 7-86, which became State-effective on April 16, 1986.

(B) Board Order 11-86, and temporary operating permit for Refined Metals Corp., permit No. 0212-OIP, which became State-effective on April 16, 1986.

(ii) Other material—none.

(75) Board Order 12-86, a one-year variance from SO_2 ambient monitoring by DuPont in Old Hickory, was submitted on July 7, 1986, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Board Order 12-86, which became State-effective on June 19, 1986.

(ii) Other material—none.

(76) Board Orders 23-86, 24-86, 34-86 and 36-86 were submitted on October 7, 1986 and December 30, 1986, respectively by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Board Order 23-86, which became State-effective on September 17, 1986.

(B) Board Order 24-86, which became State-effective on September 17, 1986.

(C) Board Order 34-86, which became State-effective on November 20, 1986.

(D) Board Order 36-86, which became State-effective on November 20, 1986.

(ii) Other material—none.

(77) Board Orders 35-86 and 5-87 were submitted on February 17, 1987, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Board Order 35-86, Opacity variance for Hassel and Hughes Lumber Company, which was approved on November 19, 1986.

(B) Board Order 5-87, variance for Texas Gas Transmission Corporation which was approved on January 21, 1987.

(ii) Other material—none.

(78) A variance from Rule 1200-3-18.21 was submitted to EPA on December 30, 1986, by the Tenessee Department of Health and Environment.

(i) Incorporation by referemce.

(A) A variance for coating bicycles at Murray Ohio Manufacturing Company granted by the Tennessee Department of Health and Environment Air Pollution Control Board, approved on November 19, 1986.

(ii) Additional material—none.

(79) A variance from Rule 1200-3-18-.04(8) was submitted to EPA on January 6, 1988, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Tennessee Department of Health and Environment, Division of

Air Pollution Control, Board Order 08-87 approved on August 13, 1987.

(B) Letter of January 6, 1988, from the Tennessee Department of Health and Environment.

(ii) Other materials—none.

(80) A variance from Rule 1200-3-18-.04(8) was submitted to EPA on January 6, 1988, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Tennessee Department of Health and Environment, Division of Air Pollution Control, Board Order 11-87 approved on August 13, 1987.

(B) Letter of January 6, 1988, from the Tennessee Department of Health and Environment.

(ii) Other materials—none.

(81) A variance from Rule 1200-3-18-.04(8) was submitted to EPA on January 6, 1988, by the Tennessee Department of Health and Environment.

(i) Incorporation of reference.

(A) Tennessee Department of Health and Environment, Division of Air Pollution Control, Board Order 29-87 approved on December 10, 1987.

(B) Letter of January 6, 1988, from the Tennessee Department of Health and Environment.

(ii) Other materials—none.

(82) A variance from Rule 1200-3-18-.04(8) was submitted to EPA on February 25, 1988, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Tennessee Department of Health and Environment, Division of Air Pollution Control, Board Order 2-88 approved on February 18, 1988.

(B) Letter of February 25, 1988, from the Tennessee Department of Health and Environment.

(ii) Other materials-none.

(83) A variance from Rule 1200-3-18-.04(8) was submitted to EPA on January 6, 1988, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Tennessee Department of Health and Environment, Division of Air Pollution Control, Board Order 27-87 approved on December 10, 1987.

(B) Letter of January 6, 1988, from the Tennessee Department of Health and Environment.

(ii) Other materials—none.

(84) A variance from Rule 1200-3-18-.04(8) was submitted to EPA on January 6, 1988, by the Tennessee Department of Health and Environment.

(i) Incorporation by reference.

(A) Tennessee Department of Health and Environment, Division of Air Pollution Control Board Order 19-87 approved on October 2, 1987.

(B) Letter of January 6, 1988, from the Tennessee Department of Health and Environment.

(ii) Other materials—none.

[37 FR 10894, May 31, 1972]

Editorial Note: For Federal Register citations affecting § 52.2220, see the List of CFR Sections Affected in the Finding Aids section of this volume.

Effective Date Note: At 53 FR 23624—23629, June 23, 1988, paragraghs (c) (79)—(84) were added to § 52.2220, effective August 22, 1988.

§ 52.2221 Classification of regions.

The Tennessee plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Eastern Tennessee-Southwestern Virginia Interstate	I	I	III	III	III
Tennessee River Valley-Cumberland Mountains Intrastate	I	I	III	III	III
Middle Tennessee Intrastate	I	II	III	III	I
Western Tennessee Intrastate	I	III	III	III	III
Chattanooga Interstate	I	II	III	III	III
Metropolitan Memphis Interstate	I	III	III	III	I

[37 FR 10894, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2222 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Tennessee's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans thus far submitted satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below.

In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980, for the sources covered by CTGs issued between January 1978 and January 1979 and on adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) New source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V of the emission offset interpretative rule (Appendix S of 40 CFR Part 51) are met.

[45 FR 53817, Aug. 13, 1980]

§ 52.2223 Compliance schedules.

(a) *Federal compliance schedules—State program.* (1) Except as provided in paragraph (a)(5) of this section, the owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the requirements of Chapter 1200-3-14 of the Rules and Regulations of Tennessee as contained in the Tennessee implementation plan, shall notify the Administrator, no later than January 1, 1974, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet these requirements.

(2) Any owner or operator of a stationary source subject to paragraph (a)(1) of this section who elects to utilize low-sulfur fuel shall be subject to the following compliance schedule:

(i) January 31, 1974: Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on July 1, 1975, and for at least one year thereafter.

(ii) March 31, 1974: Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) April 30, 1974: Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) May 31, 1974: Let contracts for necessary boiler modifications, if applicable.

(v) October 31, 1974: Initiate onsite modifications, if applicable.

(vi) June 1, 1975: Complete onsite modifications, if applicable.

(vii) July 1, 1975: Achieve compliance with the requirements of Chapter 1200-3-14 of the Rules and Regulations of Tennessee and certify compliance to the Administrator.

(viii) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed on or before July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(ix) Five days after the deadline for completing increments (a)(2)(ii) through (vi) in this section certification as to whether the increments were met shall be made to the Administrator.

(3) Any owner or operator of a stationary source subject to paragraph (a)(1) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) January 31, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) February 28, 1974—Negotiate and sign all necessary contracts for emission-control systems or process modification, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) May 1, 1974—Initiate onsite construction or installation of emission-control equipment or process modification.

(iv) May 1, 1975—Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1975—Achieve compliance with the requirements of Chapter 1200-3-14 of the Rules and Regulations of Tennessee and certify compliance to the Administrator.

(vi) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed on or before July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vii) Five days after the deadline for completing increments (a)(3)(ii) through (iv) in this section, certification as to whether the increments were met shall be made to the Administrator.

(4) Except as provided in paragraph (a)(5) of this section, the owner or operator of any stationary source subject to the requirements of Chapter 1200-3-14 of the Rules and Regulations of Tennessee as contained in the Tennessee implementation plan, shall comply with the following compliance schedule:

(i) November 15, 1973: Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) January 1, 1974: Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) February 1, 1974: Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1975: Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1975: Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(vi) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed on or before July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vii) Five days after the deadline for completing increments (a)(4)(ii) through (iv) in this section certification as to whether the increments were met shall be made to the Administrator.

(5) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(6) The compliance schedules in paragraphs (a)(2) and (3) of this section shall not excuse a source from complying with any interim emission limitations on the date prescribed in the Tennessee air pollution control regulation listed in paragraph (a)(1) of this section.

(7) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedules in the above paragraphs of this paragraph fail to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(b) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State or those of a local air pollution control agency as noted.

(1) State compliance schedules:

TENNESSEE

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Bowaters Southern Paper Corp., State order No. 44-0073.	Calhoun	CH. VII-9(f)	June 19, 1973	Immediately	June 1, 1975.
General Shale, State order No. 45-0073.	Kingsport	CH. VII-8(b)	do	do	June 1, 1974.
Holston Army Ammunition Plant, State order No. 54-0073.	do	CH. VII-9(c)	do	do	Dec. 1, 1973.
Tennessee River Pulp & Paper Co., State order No. 93-00073.	Counce	CH. VI-2, CH. V-2(b).	do	do	July 1, 1975.
Tennessee Valley Authority, Kingston Steam Plant, Unit 1, State order No. 47-0073.	Kingston	CH. VI-2(a)(2), CH. V-2(b).	do	do	Do.
Tennessee Valley Authority, Johnsonville Steam Plant:					
(a) Unit 1, State order No. 50-0073.	New Johnsonville.	CH. VI-2(a)(2), CH. V-2(b).	Oct. 9, 1973	do	April 1, 1975.
(b) Unit 2, State order No. 49-0073.	do	CH. VI-2(a)(2), CH. V-2(b).	do	do	July 1, 1975.
(c) Unit 7, State order No. 48-0073.	do	CH. VI-2(a)(2), CH. V-2(b).	do	do	Mar. 1, 1974.
(d) Unit 8, State order No. 52-0073.	do	CH. VI-2(a)(2), CH. V-2(b).	do	do	June 1, 1974.
(e) Unit 9, State order No. 51-0073.	do	CH. VI-2(a)(2), CH. V-2(b).	do	do	Sept. 1, 1974.
(f) Unit 10, State order No. 53-0073.	do	CH. VI-2(a)(2), CH. V-2(b).	do	do	Dec. 1, 1974.
Tennessee Valley Authority, Allen Steam Plant (State order No. 21-0073).	Shelby County	Ch. 6, sec. 2	Mar. 20, 1973	do	Mar. 31, 1973.
Tennessee Valley Authority, Cumberland Steam Plant (State order No. 22-0073).	Stewart County	Ch. 6, sec. 2	do	do	Oct. 31, 1973.
Tennessee Valley Authority, John Sevier Steam Plant (State order No. 14-0073).	Hawkins County	Ch. 6, sec. 2	do	do	Oct. 31, 1974.
Tennessee Valley Authority, Watts Bar Steam Plant (State order No. 11-0073).	Rhea County	Ch. 6, sec. 2	do	do	July 1, 1975.

(2) Knox County compliance schedules:

Source	Location	Knox County regulation involved	Date of adoption	Effective date	Final compliance date
Burkhart Quarry & Knoxville, Supplies.	Tenn	Secs. 17, 14, 22, 24.	Oct. 2, 1972	Immediately	Mar. 15, 1973.
J. F. G. Coffee	do	Secs. 17, 19, 21	Dec. 12, 1972	do	July 1, 1973.
Keller Foundry Co	do	Secs. 17, 19	Mar. 23, 1973	do	June 1, 1973.
Shelite Corp	do	Secs. 19, 22	do	do	Dec. 31, 1973.
Southern Railway Systems	do	Sec. 19	Oct. 2, 1972	do	Sept. 30, 1973.
Tom Foods, Ltd	do	do	Mar. 23, 1973	do	Dec. 1, 1973.

(d) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State or those of a local air pollution control agency as noted.

(1) State compliance schedules:

Source	Location	State regulation involved	Date of adoption
Burlington Industries, Inc. (State order No. 7-0073).	Washington County, Tenn	Ch. 6, sec. 4	Mar. 20, 1973.
Monsanto Co., kilns Nos. 1 and 2 (State order No. 8-0073).	Maury County, Tenn	Ch. 7, sec. 8	Do.
Monsanto Co., kiln No. 3 (State order No. 20-0073).	do	Ch. 7, sec. 8	Do.
Stauffer Chemical Co	do	Ch. 7, sec. 8	Do
Tennessee Eastman Co.:			
(a) Bldg. 267: Chem. A, vent 1-A (State order No. 15-0073).	Sullivan County, Tenn	Ch. 7, sec. 8	Do.
(b) Bldg. 267: Chem. B, vent 1-A (State order No. 25-0073).	do	Ch. 7, sec. 8	Do
(c) Bldg. 267: Chem. C, vent 1-A (State order No. 26-0073).	do	Ch. 7, sec. 8	Do.
(d) Bldg. 267: Chem. D, vent 1-A (State order No. 17-0073).	do	Ch. 7, sec. 8	Do
(e) Bldg. 267: Chem. E, vent 1-A, (State order No. 16-0073).	do	Ch. 7, sec. 8	Do.
(f) B3A-1 (State order No. 18-0073)	do	Ch. 7, sec. 8	Do.
(g) B13-1 (State order No. 19-0073)	do	Ch. 7, sec. 8	Do
(h) B13-3 (State order No. 24-0073)	do	Ch. 7, sec. 8	Do.

(e) Federal compliance schedules—Local programs. (1) Except as provided in paragraph (e)(16) of this section, the owner or operator of any stationary source subject to the following emission limiting regulations of the Knox County Air Pollution Control Regulations and the City of Memphis Air Pollution Control Code and Shelby County Air Pollution Control Code contained as part of the Tennessee implementation plan shall comply with the compliance schedule in paragraph (e)(2) of this section: Knox County Air Pollution Control Regulations, Sections 18.2C; 19.4B; 20.1D; and 23.1; City of Memphis Air Pollution Control Code and Shelby County Air Pollution Control Code Section 3-24(d).

(2) *Compliance schedule.* (i) October 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) December 1, 1973—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) January 1, 1974—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1975—Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1975—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(3) Except as provided in paragraph (e)(16) of this section, the owner or operator of any stationary source subject to the following emission limiting regulation of the Knox County Air Pollution Control Regulations contained as part of the Tennessee implementation plan shall comply with the compliance schedule in paragraph (e)(4) of this section: Knox County Air Pollution Control Regulations, Section 19.2C.

(4) *Compliance schedule.* (i) October 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) December 1, 1973—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) January 1, 1974—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1975-Complete onsite construction or installation of emission control equipment or process modification.

(v) June 1, 1975—Achieve compliance with the applicable regulations and certify such compliance to the Administrator.

(5) Except as provided in paragraph (e)(16) of this section, the owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the requirements of Knox County Air Pollution Control Regulations, section 18.4B; and City of Memphis Air Pollution Control Code and Shelby County Air Pollution Control Code, Section 3-24(b), contained as part of the Tennessee implementation plan shall notify the Administrator no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet these requirements.

(6) Any owner or operator of a stationary source subject to paragraph (e)(5) of this section who elects to utilize low-sulfur fuel shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on July 1, 1975, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) June 15, 1974—Initiate onsite modifications, if applicable.

(vi) March 31, 1975—Complete onsite modifications, if applicable.

(vii) July 1, 1975—Achieve compliance with the requirements of Knox County Air Pollution Control Regulations, section 18.4B and City of Memphis Air Pollution Control Code and Shelby County Air Pollution Control Code Section 3-24 (b) and certify such compliance to the Administrator.

(7) Any owner or operator of a stationary source subject to paragraph (e)(5) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulation.

(ii) January 1, 1974—Negotiate and sign all necessary contracts for emission control systems or process modification, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) February 1, 1974—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) May 1, 1975—Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1975—Achieve compliance with the applicable regulation and certify such compliance to the Administrator.

(8) Except as provided in paragraph (e)(16) of this section, the owner or operator of any stationary source subject to the following emission limiting regulation of the Hamilton County Air Pollution Control Regulations contained as part of the Tennessee implementation plan shall comply with the compliance schedule in paragraph (e)(9) of this section: Hamilton County Air Pollution Control Regulations, rule 10 (particulate emissions from process operations).

(9) *Compliance schedule.* (i) September 15, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) November 1, 1973—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) December 1, 1973—Initiate onsite construction or installation of emission control equipment or process modifications.

(iv) June 1, 1974—Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1974—Achieve compliance with the applicable regulations, and certify such compliance to the Administrator.

(10) Except as provided in paragraph (e)(16) of this section, the owner or operator of any process (non-fuel burning) source of sulfur dioxide subject to the emission limiting requirements of the Hamilton County Air Pollution Control Regulations, rule 13, contained as part of the Tennessee implementation plan shall comply with the compliance schedule in paragraph (e)(9) of this section.

(11) Except as provided in paragraph (e)(16) of this section, the owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the sulfur dioxide emission limiting requirements of the Hamilton County Air Pollution Control Regulations, rule 13, contained as part of the Tennessee implementation plan shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to meet these requirements.

(12) Any owner or operator of a fuel burning facility subject to paragraph (e)(11) of this section who elects to utilize low-sulfur fuel shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on July 1, 1974, and for at least one year thereafter.

(ii) December 1, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 1, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) February 1, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) February 15, 1974—Initiate onsite modifications, if applicable.

(vi) June 15, 1974—Complete onsite modifications, if applicable.

(vii) July 1, 1974—Achieve compliance with the requirements of Hamilton County Air Pollution Control Regulations, rule 13, and certify such compliance to the Administrator.

(13) Any owner or operator of a fuel burning facility subject to paragraph (e)(11) of this section who elects to utilize stack gas desulfurization shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) December 1, 1973—Negotiate and sign all necessary contracts for emission control systems or process modifications, or issue orders for the purchase of component parts to accomplish emission control or process modification.

(iii) December 15, 1973—Initiate onsite construction or installation of emission control equipment or process modification.

(iv) June 15, 1974—Complete onsite construction or installation of emission control equipment or process modification.

(v) July 1, 1974—Achieve compliance with the applicable regulations, and certify such compliance to the Administrator.

(14) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by the final compliance date in the applicable regulation. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(15) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(16)(i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(17) No compliance schedule in this paragraph shall excuse a source from complying with an interim emission limitation that is applicable to such source.

(18) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(f) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N and § 51.6 of this chapter. All regulations cited are air pollution control regulations of the State or those of a local air pollution control agency as noted.

(1) Statewide compliance schedules:

TENNESSEE

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance da
Aluminum Co. of America, State order No. 79-00073.	Alcoa	CH.V-2(b), CH. VII-2.	Oct. 9, 1973	Immediately	Aug. 9, 1974.
American Enka, State order No. 64-00073:					
(a) Boilers 1, 2, 3	Morristown	CH. V-2(b), CH.VI-2(a).	do	do	July 1, 1975.
(b) Boilers 4, 5, 6	do	CH. VI-2(b), CH. VI-2(a).	do	do	Dec. 30, 1974.
(c) Boiler 9	do	CH. V-2(b), CH. VI-2(a).	do	do	June 30, 1974.
Athens Plow Co., State order No. 4-00073.	Athens	CH. V-2(b), CH. VII-9(b).	Mar. 20, 1973	do	Aug. 9, 1974.
Athens Stove Works, State order No. 55-0073.	do	CH. V-2(b), CH. VII-9(b).	June 19, 1973	do	July 2, 1974.
Beaunit Fibers, State order No. 58-0073:					
(a) Stacks 1 and 2	Elizabethton	CH. V-2(a)	do	do	Mar. 30, 1975.
(b) Stack 3	do	CH. VI-2(a), CH. V-2(a).	do	do	Nov. 30, 1974.
Bedford Lumber Co.:					
State order No. 87-00073	Shelbyville	CH. V-2(b), CH. VI-2(a)(2).	Oct. 9, 1973	do	Mar. 1, 1974.
State order No. 88-00073	do	CH. V-2(b), CH. VI-2(a)(2).	do	do	Oct. 9, 1974.
Bristol Foundry & Machine Co., State order No. 71-00073.	Bristol	CH. V-2(b), CH. VII-9(b).	do	do	Nov. 9, 1973.
Bruce Flooring State order No. 72-00073.	Jackson	CH. V-2(b), CH. VII-2.	do	do	Aug. 9, 1974.
Burroughs-Ross-Colville Co.:					
State order No. 65-00073: (a) Boiler 1.	McMinnville	CH. V-2(b), CH. VI-2(a)2.	do	do	Do.
State order No. 66-00073:					
(a) Collectors C-1, C-3	do	CH. V-2(b), CH. VII-2(a).	do	do	Do.
(b) Collector C-7	do	CH. V-2(b), CH. VII-2(a).	do	do	Oct. 1, 1973.

TENNESSEE—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Celotex Corp., State Order No. 61-0073:					
(a) Collectors A-1-2, B-3, B-4, and E-22.	Paris	CH. V-2(b), CH. VII-2(a).	June 19, 1973	do	May 1, 1974.
(b) Collectors D-12, D-13, and D-14.	do	CH. V-2(b), CH. VII-2(a).	do	do	Apr. 1, 1974.
(c) Collectors C-0, C-10, and C-11.	do	CH. V-2(b), CH. VII-2(a).	do	do	Oct. 30, 1973.
Clarksville Foundry & Machine Works State order No. 73-00073.	Clarksville	CH. V-2(b), CH. VII-9(b).	Oct. 9, 1973	do	Jan. 30, 1974.
Dover Corp., State order No. 74-00073.	Middleton	CH.V-2(b), CH. VI-2(d).	do	do	July 9, 1974.
Farrar Construction, State order No. 75-00073.	McMinnville	CH. V-2(b), CH. VII-9(g).	do	do	Oct. 9, 1973.
Harris Manufacturing Co., State order No. 62-0073.	Johnson City	CH.V-2(b), CH. VII-2(a)	June 19, 1973	do	June 1, 1974.
Holston Army Ammunition Plant, State order No. 67-00073.	Kingsport	CH.V-2(b), CH. VI-2(a).	Oct. 9, 1973	do	July 1, 1975.
Kingsport Foundry & Manufacturing Corp., State order No. 57-0073.	do	CH.V-2(b), CH. VII-9(b).	June 19, 1973	do	Feb. 28, 1974.
Koh-i-noor Radiograph, Inc., State order No. 58-0073.	Lewisburg	CH.V-2(b), CH. VII-2(a).	do	do	Mar. 29, 1974.
Lenoir Car Works, State order No. 76-00073.	Lenoir City	CH. V-2(b), CH. VII-2.	Oct. 9, 1973	do	Dec. 9, 1973.
Marquette Cement Manufacturing Co., State order No. 5-0073.	Cowan	CH. V-2(b), CH. VII-2.	Mar. 20, 1973	do	Aug. 9, 1974.
Mead Corp., State order No. 59-0073.	Kingsport	CH. V-2(b), CH. VI-2(a)(1).	June 19, 1973	do	July 1, 1975.
Monsanto Co., State order No. 6-0073:					
(a) Source 4	Columbia	CH. V-2, CH. VII-2.	Mar. 20, 1973	do	Mar. 9, 1974.
(b) Source 5	do	CH. V-2, CH. VII-2.	do	do	Dec. 9, 1973.
Royal Oak Charcoal Co.:					
State order No. 77-00073	Jamestown	CH.V-2(b), CH. VII-2.	Oct. 9, 1973	do	July 31, 1974.
State order No. 78-00073	do	CH. V-2(b), CH.VII-2.	do	do	Mar. 1, 1974.
Stokely-Van Camp, Inc., State order No. 63-0073.	Tellico Plains	CH.V-2(b), CH. VI-2(a)(2).	June 19, 1973	do	Jan. 30, 1974.
Tennessee Asphalt Co., State order No. 79-00073.	LaFollette	CH.V-2(b), CH. VII-9(g).	Oct. 9, 1973	do	Dec. 30, 1973.
Tennessee Eastman Co.:					
State order No. 80-00073	Kingsport	CH. V-2(b), CH. VII-2.	do	do	June 1, 1974.
State order No. 81-00073	do	CH. V-2(b), CH. VII-2.	do	do	Aug. 9, 1974.
State order No. 82-00073	do	CH.V-2(b), CH. VII-2.	do	do	Nov. 1, 1974.
State order No. 83-00073	do	CH. V-2(b), CH. VII-2.	do	do	July 1, 1975.
State order No. 84-00073:					
(a) Units 18-22	do	CH. V-2(b), CH.VI-2(a)(1).	do	do	Mar. 1, 1974.
(b) Units 11-17	do	CH. VI-2(b), CH. VI-2(a)(1).	do	do	June 1, 1975.
Tennessee Forging Steel Co., State order No. 85-00073.	Harriman	CH. V-2(b), CH. VII-2.	do	do	Oct. 30, 1973.
Tennessee Metallurgical, State order No. 89-00073:					
(a) Furnace No. 2	Kimball	CH.V-2(b), CH. VII-2.	do	do	Mar. 1, 1974.
(b) Furnace No. 1	do	CH. V-2(b), CH. VII-2.	do	do	Jan. 15, 1974.

TENNESSEE—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Union Carbide Corp., State order No. 86-00073.	Columbia	CH. V-2(b), CH. VII-2.	do	do	Aug. 9, 1974.
United States Stove Co., State order No. 3-0073.	South Pittsburg	CH.V-2(b)	Mar. 20, 1973	do	Feb. 9, 1974.
Aluminum Co. of America, sources 22 and 23 (carbon anode baking).	Alcoa	Ch. V, sec. II.B	Nov. 28, 1973	do	July 9, 1974.
Berkline Corp., plant No. 1, collector No. 6.	Morristown	Ch. V. sec. II. B; ch. VII, sec. II.	do	do	June 9, 1974.
E. I. du Pont: 4 steam boilers, particulate emissions, SO_2 emissions.	New Johnsonville.	Ch. V, sec. II. B; ch. V, sec. II.A(2).	Feb. 6, 1974	do	June 30, 1975.
Industrial Products Co., Inc.: Control equipment.	Mt. Pleasant	Ch. V, sec. II.B; ch. VII, sec. II.	Nov. 28, 1973	do	Jan. 1, 1974.
Interstate Foundry & Machine Co.: Cupola.	Johnson City	Ch. V, sec. II. B; ch. VII, sec. IX.B.	do	do	Feb. 9, 1974.
Laminite Plastics Corp.: Moldow system (phase I only).	Morristown	Ch. V, sec. II. B; ch. VII, sec. II.	do	do	Apr. 30, 1974.
Lea Industries:					
Plant No. 4; process emissions.	do	do	do	do	Jan. 1, 1974.
Plant No. 5; process emissions.	do	do	do	do	Aug. 9, 1974.
Plant No. 6; process emissions.	do	do	do	do	Do.
Plant No. 6, boiler	do	Ch. V	do	do	Feb. 1, 1974.
Lewisburg Casting Co., Inc.: Cupola.	Lewisburg	do	Nov. 28, 1979	do	June 9, 1974.
A. B. Long Quarries, Inc.: Limestone quarry and crusher.	Harriman	Ch. V, sec. II.B; ch. VII, sec. II: ch. VIII.	do	do	Mar. 30, 1974.
Monsanto Industrial Chemical Co.	Columbia	Ch. VII	Feb. 6, 1973	do	July 1, 1975.
Plough, Inc.: Boiler	Shelbyville	Ch. V, sec. II. B; ch. VI, sec. II.A(2).	do	do	May 30, 1974.
Powermatic-Houdaille, Inc.: Two No. 5 cupolas.	McMinnville	Ch. V, sec. II.B; ch. VII, sec. II.	do	do	Aug. 9, 1974.
Royal Oak Charcoal Co.: Kilns 1, 2, 3, 4, 5.	Cookeville	do	do	do	Do.
Don P. Smith Chair Co.: Drying kiln.	Loudin	do	do	do	June 30, 1974.
Temple Industries: Conical burner.	Savannah	Ch. V, sec. II. B; ch. VI, sec. II.D.	do	do	Apr. 30, 1974.
Tennite, Inc.: Two rotary kilns	Green Brier	Ch. V, sec. II.B; ch. VII, sec. II.	do	do	July 30, 1974.
Tenn. Asphalt Co. & Road Builders, Inc.: Asphalt batching plant.	Cumberland City	Ch. V, sec. II.B; ch. VII, secs. II and IX, G; ch. VIII.	do	do	Dec. 17, 1974.
Vulcan Materials Co.: Rock quarry.	Emory Gap	Ch. V, sec. II.B; ch. VII, sec. II; ch. VIII.	do	do	Mar. 31, 1974.
Do	Savannah	Ch. V, sec. II.B; ch. VII, sec. II; ch. VIII.	do	do	June 21, 1974.
Do	Parsons	Ch. V, sec. II.B; ch. VII, sec. II; ch. VIII.	do	do	Feb. 18, 1974.
Cities Service (41-0073)	Copperhill	Ch. VII, sec. 8	June 19, 1973	do	July 1, 1975.
Cities Service (42-0073)	do	Ch. VII, sec. 8	do	do	Do.
Penn Dixie Cement	Kingsport	Ch. VII, sec. 2	Oct. 9, 1973	do	Do.

(2) Chattanooga-Hamilton County compliance schedules:

TENNESSEE

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Chattanooga Public Schools:					
(a) Elbert Long School	Chattanooga	Sec. 9(8)	Feb. 8, 1973	Immediately	July 1, 1974.
(b) Charles A. Bell School	do	Sec. 9(8)	do	do	Do.
(c) G. Russel Brown School	do	Sec. 9(8)	do	do	Do.
(d) Calvin Donaldwon School	do	Sec. 9(8)	do	do	Do.
(e) East Chattanooga School	do	Sec. 9(8)	do	do	Do.
(f) Highland Park School	do	Sec. 9(8)	do	do	Do.
(g) Normal Park School	do	Sec. 9(8)	do	do	Do.
(h) Piney Woods School	do	Sec. 9(8)	do	do	Do.
(i) Ridgedale School	do	Sec. 9(8)	do	do	Do.
(j) Frank H. Trotter School	do	Sec. 9(8)	do	do	Do.
(k) Woodmore School	do	Sec. 9(8)	do	do	Do.
(l) Rivermont School	do	Sec. 9(8)	do	do	Do.
(m) St. Elmo School	do	Sec. 9(8)	do	do	Do.
E.I. du Pont de Nemours & Co.:					
(a) Nylon 66 evaporator Nos. 1-5.	do	Sec. 9	do	do	Do.
(b) Nylon auto clave Nos. 1-17.	do	Sec. 9	do	do	Do.
(c) Continuous polymertization lines I-III.	do	Sec. 9	do	do	Do.
(d) Continuous polymertization line IV.	do	Sec. 9	do	do	Sept. 1, 1973.
(e) Lindburg furnace type 364830-E12-S.	do	Sec. 9	do	do	Aug. 1, 1973.
(f) Lindburg furnace type 243624-E12-S.	do	Sec. 9	do	do	Feb. 1, 1974.
(g) Trent furnace model 862640A.	do	Sec. 9	do	do	Mar. 1, 1974.
(h) Lindburg furnace type 364830-E12-S.	do	Sec. 9	do	do	Apr. 1, 1974.
(i) Riley boiler	do	Sec. 9	do	do	July 1, 1974.
(j) B & W boiler	do	Sec. 9	do	do	Do.
General Tire Service	do	Sec. 9	do	do	Jan. 31, 1974.
Randolph Manufacturing Co., Inc.	do	Sec. 9	do	do	Do.
Southern Foundry Supply, Inc	do	Sec. 9	do	do	Mar. 31, 1973.
Tennessee Awning & Tent Co	do	Sec. 9	Feb. 9, 1973	do	June 1, 1973.
United States Pipe & Foundry Co.	do	Sec. 9	Feb. 8, 1973	do	Nov. 1, 1973.

(3) Memphis-Shelby County compliance schedules:

TENNESSEE

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Desoto Hardwood Flooring Co.: Phase 1.	Chattanooga	Sec. 9	Apr. 5, 1973	Immediately	May 1, 1974.
Wabash, Inc.: Phase 1	do	Secs. 3-17, 3-20.	do	do	Apr. 1, 1974.

(4) Nashville-Davidson County compliance schedules:

TENNESSEE

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Bruce Flooring	Nashville	Sec. 4-1-9	Feb. 7, 1973	Immediately	Dec. 31, 1973.

[38 FR 16169, June 20, 1973, as amended at 38 FR 22748, Aug. 23, 1973; 38 FR 24341, 24342, Sept. 7, 1973; 40 FR 3445, Jan. 22, 1975; 40 FR 3570, Jan. 23, 1975; 42 FR 10995, Feb. 25, 1977; 51 FR 40676, 40677, Nov. 7, 1986; 52 FR 24367, June 30, 1987]

§ 52.2224 Legal authority.

(a) The requirements of § 51.230(c) of this chapter are not met since the plan does not provide the legal authority for controlling motor vehicles during air pollution emergency episodes.

(b) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

(c)(1) The requirements of § 51.230(b) of this chapter are not met since the definition of "person" set forth in the Tennessee Air Quality Act and in the State implementation plan does not include facilities owned or operated by the State. Therefore, section 53-3409(f) of the Tennessee Code Annotated and section 30 of Chapter II of the Tennessee Air Pollution Control Regulations are disapproved.

(2) Definition of "person". For the purposes of the plan, "person" shall mean "any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, State-owned or operated facility, State agency, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns."

(d) The requirements of § 51.230(b) of this chapter are not met since the State lacks legal authority, as a result of the enactment of House Bill 1490 by the 1974 Tennessee legislature, to control emissions from the quarrying and processing of agricultural limestone. Therefore, section 53-3424 of the Tennessee Code Annotated is disapproved.

(e) The requirements of § 51.230(b) of this chapter are not met since the State lacks legal authority, as a result of the enactment of House Bill 1845 by the 1974 Tennessee legislature, to control emissions from air contaminant sources which use woodwaste only as fuel. Therefore, the last sentence of section 53-3422 of the Tennessee Code Annotated is disapproved.

[37 FR 10894, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2224, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2226 Extensions.

The Administrator hereby extends for 18 months (until July 1, 1980) the statutory deadline for submittal of a plan to attain the secondary SO_2 standard in Copperhill.

(a) [Reserved]

(b) The Administrator hereby extends for 18 months (until July 1, 1980) the statutory timetable for submittal of Tennessee's plans to attain and maintain the secondary ambient standard for particulate matter in the Chattanooga, Columbia, Kingsport, Memphis, and Nashville nonattainment areas (40 CFR 81.343).

[45 FR 2034, Jan. 10, 1980, as amended at 45 FR 8008, Feb. 6, 1980]

§ 52.2227 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.152(a) of this chapter are not met since the plan does not provide for the enforcement of emission control actions for mobile sources during air pollution emergency episodes.

[37 FR 10895, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2228 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met since the State failed to submit a plan for review of new or modified indirect sources.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Tennessee.

(c) *Part D—Conditional approval.* The Nashville-Davidson County regulation for the review of new sources and modifications in nonattainment areas is approved on condition that the State by October 31, 1984 submit a revision limiting source shutdown credit for offsets to replacement units and, in the interim, assure implementation of the regulation in conformity with Federal requirements.

(d) *Section 123—Conditional approval.* The plan's provision for implementation of the requirements of section 123 of the Clean Air Act in Nashville-Davidson County is approved on condition that the State by October 31, 1984 submit:

(1) Definitions in the local regulation of "nearby" and "excessive concentration" and

(2) Provision in the local regulation for public notification and opportunity for hearing in cases where stack heights in excess of normal good engineering practice are proposed on the basis of fluid modeling demonstrations, and, in the interim, assure implementation of the local regulation in conformity with Federal requirements.

[39 FR 7284, Feb. 25, 1974, as amended at 48 FR 50080, Oct. 31, 1983; 50 FR 32413, Aug. 12, 1985; 51 FR 40677, Nov. 7, 1986]

§ 52.2229 [Reserved]

§ 52.2230 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Tennessee's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Eastern Tennessee-Southwestern Virginia Interstate:							
a. Sullivan County: Bristol and Kingsport nonattainment areas [1]	d	d	c	c	b	b	d
b. Campbell County nonattainment areas [1]	d	d	c	c	b	b	b
c. Anderson/Knox County nonattainment area [1]	c	d	c	c	b	b	b
d. Copperhill nonattainment area [1]	c	c	d	f	b	b	b
e. Knox County nonattainment area [1]	c	c	c	c	b	d	d
f. Bradley County nonattainment area [1]	c	c	c	c	b	b	d
g. Roane County nonattainment area	c	c	c	c	b	b	d
h. Rest of AQCR	c	c	c	c	b	b	b
Tennessee River Valley-Cumberland Mountains Intrastate	c	c	c	c	b	b	b
Middle Tennessee Intrastate:							
a. Benton/Humphreys County nonattainment areas [1]	c	c	d	d	b	b	c
b. Davidson County nonattainment area [1]	d	d	c	c	b	e	c
c. Maury County nonattainment area [1]	c	c	b	b	b	b	d
d. Rest of AQCR	c	c	b	b	b	b	c
Western Tennessee Intrastate:							
a. Benton/Humphreys County nonattainment area [1]	c	c	d	d	b	b	b
b. Rest of AQCR	c	c	b	b	b	b	b
Chattanooga Interstate:							
a. Hamilton County nonattainment area [1]	c	c	b	b	b	b	c
b. Rest of AQCR	c	c	b	b	b	b	b
Metropolitan Memphis:							
a. Shelby County nonattainment area [1]	c	c	b	b	b	e	d
b. Rest of AQCR	c	c	b	b	b	b	c

[1] For more precise delineation, see § 81.343 of this chapter.

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. July 1975.
d. December 31, 1982.
e. December 31, 1987.
f. 18-month extension granted.

[45 FR 53818, Aug. 13, 1980, as amended at 45 FR 75661, Nov. 17, 1980; 49 FR 1343, Jan. 11, 1984]

§ 52.2231 Control Strategy: Sulfur oxides and particulate matter.

Part D conditional approval.

(a) The Chattanooga primary TSP plan's provisions for review of new sources and modifications in the nonattainment area are approved on condition that the State submit by December 31, 1987, a definition of the term "Federally enforceable" and provisions for making Federally enforceable all limitations, conditions, and offsets, including permit restrictions, relied upon under the plan, and in the interim, implement these provisions in a manner consistent with EPA requirements.

[52 FR 15498, Apr. 29, 1987]

§ 52.2232 Maintenance of national standards.

(a) The requirements of §§ 51.4 and 51.110(h) are not met since the AQMA identifications were submitted by the State prior to the State public hearing and thus could not have accounted for public comment at that hearing.

(b) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Chattanooga Interstate Air Quality Maintenance Area (Tennessee portion).

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of the area:

Hamilton County.

(2) Nashville Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Davidson County.

[40 FR 41953, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2233 Significant deterioration of air quality.

(a)(1) Paragraph 1200-3-9-.01(4)-(0)-2. of Tennessee's regulations is disapproved because it does not require that the consent of the Governor(s) of affected states be obtained when innovative technology waivers are granted. EPA retains permitting authority for sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Tennessee's definition of "stationary source" specifically excludes "the activities of any Vessel." This exclusion is not currently approvable and EPA is deferring action on it pending final rulemaking on the issue. EPA retains authority for permits which involve vessel emissions where a source is not willing to include all vessel emissions in the definition of source.

(b) The requirements of 52.21 (b) through (w) are hereby incorporated by reference and made part of the applicable SIP for the State of Tennessee for the following purposes:

(1) Permitting of sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Permitting of sources involving vessel emissions where the source is unwilling to include all vessel emissions in the definition of source.

(c) (1) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of Tennessee shall be submitted to the Division of Air Pollution Control, Tennessee Department of Public Health, 256 Capitol Hill Building, Nashville, Tennessee 37219.

[42 FR 36456, July 15, 1977, and 43 FR 26410, June 19, 1978, as amended at 50 FR 7779, Feb. 26, 1985]

§ 52.2234 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26, 52.27, and 52.28 are hereby incorporated and made part of the applicable plan for the State of Tennessee.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Tennessee.

[51 FR 5505, Feb. 13, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart SS—Texas

§ 52.2270 Identification of plan.

(a) Title of plan: "Texas Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification that statewide public hearings had been held on the plan was submitted by the Texas Air Control Board (TACB) on February 8, 1972. (Nonregulatory)

(2) A discussion of its policy concerning the confidentiality of certain hydrocarbon emission data was submitted by the TACB on May 2, 1972. (Nonregulatory)

(3) A discussion of the source surveillance and extension sections of the plan was submitted by the TACB on May 3, 1972. (Nonregulatory)

(4) A discussion of minor revisions to the plan was submitted by the Governor on July 31, 1972. (Nonregulatory)

(5) Revisions of section XI, paragraph C.3: Rule 9: Regulation V and control strategy for photochemical oxidants/hydrocarbons in Texas designated regions 7 and 10; regulation VII; and control strategy for nitrogen oxides in regions 5, 7, and 8 were submitted by the TACB on August 8, 1972.

(6) A request that inconsistencies in the plan concerning the attainment dates of primary air standards be corrected was submitted by the Governor on November 10, 1972. (Nonregulatory)

(7) Revisions to regulation IV, regulation V, the general rules and control strategy for photochemical oxidants/hydrocarbons, and a request for a two year extension to meet Federal standards for photochemical oxidants was submitted by the Governor on April 13, 1973.

(8) Revisions to regulation IV (Control of Air Pollution from Motor Vehicles) were adopted on October 30, 1973, and were submitted by the Governor on December 11, 1973.

(9) A revision of priority classifications for particulate matter, sulfur oxides, and carbon monoxide was submitted by the Governor on March 21, 1975. (Nonregulatory)

(10) Revisions to rule 23, concerning compliance with new source performance standards, and rule 24, concerning compliance with national emission standards for hazardous air pollutants were submitted by the Governor on May 9, 1975.

(11) Administrative revisions were submitted by the TACB with the semi-annual report in 1974 for sections I, II, III, IV, XI and XIII, and with the semi-annual report in 1975 for sections I, II, XI, and XII. (Nonregulatory)

(12) A revision of section IX, Air Quality Surveillance, was submitted by the Governor on August 2, 1976. (Nonregulatory)

(13) Revisions to section IX, Air Quality Surveillance Plan, which include changes of several air quality monitoring sites, were submitted by the TACB on August 12, 1977. (Nonregulatory)

(14) Administrative revisions to section X, the Permit System, were submitted by the TACB in 1973, 1974, 1975, and 1977. (Nonregulatory)

(15) Revisions to regulation V for control of volatile carbon compound emissions, as amended on December 10, 1976, were submitted by the Governor on July 20, 1977.

(16) An administrative revision to section IX, Air Quality Surveillance System, was submitted by the Texas Air Control Board on August 14, 1978. (Nonregulatory)

(17) Board Order No. 78-6, creditable as emission offsets for the Corpus Christi Petrochemical Company project in Corpus Christi, was submitted by the Governor on July 24, 1978, as amendments to the Texas State Implementation Plan (see § 52.2275).

(18) Draft inspection/maintenance legislation and a schedule for conducting a pilot inspection/maintenance study were submitted by the Governor on April 13, 1979.

(19) Adopted inspection/maintenance legislation and administrative revisions concerning inspection/maintenance were submitted by the Governor on August 9, 1979.

(20) Revision to the plan for attainment of standards for particulate matter, carbon monoxide, and ozone (Part D requirements) were submitted by the Governor on April 13, 1979.

NOTE: The provisions of Rule 104 submitted by the Governor on 1/28/72 and approved by EPA on 5/31/72 remain in effect in other than nonattainment areas.

(21) Administrative revisions to the transportation control portion of the plan were submitted by the Governor on August 9, 1979 (non-regulatory).

(22) No action is being taken on Subchapters 131.07.52, .53, and .54 of Regulation V, submitted by the Governor April 13, 1979 for the ozone nonattainment counties of Harris, Galveston, Brazoria, Bexar, Dallas, and Tarrant.

(23) No action is being taken on the control strategy for the TSP nonattainment area of Houston 1, submitted by the Governor on April 13, 1979.

(24) A revision identifying and committing to implement currently planned Transportation Control Measures (TCMs) for Harris County was submitted by the Governor on December 28, 1979.

(25) Revisions to Regulation VI (i.e., Subchapter 116.3(a)(13-15)), and the definition of "de minimus impact," were adopted by the Texas Air Control Board on July 11, 1980, and submitted by the Governor on July 25, 1980.

(26) Board Order No. 78-8 creditable as emission offsets for the General Portland, Inc., project in New Braunfels, Comal County, Texas, was submitted by the Governor on September 13, 1978, as an amendment to the Texas State Implementation Plan (see § 52.2276).

(27) Revisions to Regulation V (i.e., Subchapters 115.171-176) and particulate matter (TSP) control strategies for the nonattainment areas of San Benito, Brownsville, Corpus Christi 1, Corpus Christi 2, Dallas 1, and El Paso 4 were adopted by the Texas Air Control Board on July 11, 1980, and submitted by the Governor on July 25, 1980.

(28) An administrative revision to section I, Introduction, was submitted by the TACB on July 23, 1981. (Nonregulatory)

(29) An administrative revision to section V, Legal Authority, was submitted by the TACB on July 23, 1981. (Nonregulatory).

(30) Revisions to the Texas SIP for the Union Carbide Corporation Bubble in Texas City, Texas were submitted by the Governor on December 15, 1981.

(31) Revisions to the ozone, total suspended particulate, and carbon monoxide control strategies, General Rules (i.e., definition for vapor mounted seal and section 101.22), Regulation IV (i.e., addition of section 114.2(b)), and Regulation V (i.e., deletion of sections 115.46 and 115.71, 115.101-106, sections 115.144, 115.153, title of sections 115.161-163 and 115.162, 115.171-176, 115.191-194, sections 115.252, 115.262, 115.401, 115.411, and title of sections 115.421-424) were adopted by the Texas Air Control Board on March 20, 1981, and submitted by the Governor on July 20, 1981.

(32) Revisions to the plan for intergovernmental consultation and composition of the Texas Air Control Board were submitted by the Governor on April 13, 1979.

EDITORIAL NOTE: At 47 FR 18857, May 3, 1982, the following paragraph (c)(32) was added to § 52.2270. This paragraph will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(32) Revisions to the General Rules (i.e., the addition of definitions for liquid-mounted seal, miscellaneous metal parts and products, factory surface coating of flat wood paneling, vapor tight, and waxy high pour point

crude oil) and Regulation V (i.e., sections 115.101-106, section 115.191 (9) and (10), sections 115.193, 115.194, 115.201-203, 115.221-223, 115.231-233, 115.251-255, 115.261-264, and 115.421-424) were adopted by the Texas Air Control Board on July 11, 1980 and submitted by the Governor on July 25, 1980.

(33) A revision to General Rule 9—Sampling, as adopted by the Texas Air Control Board on October 30, 1973, was submitted by the Governor on December 11, 1973.

(34)-(35) [Reserved]

(36) Revisions to Regulation VI (i.e., section 116.1, section 116.2, section 116.3(a), section 116.3(a)(2), the addition of sections 116.3(a)(3), 116.3(a)(4), and 116.3(a)(5), section 116.3(a)(6), section 116.3(b)(2), the addition of sections 116.3(b)(3), 116.3(b)(4), 116.4, and 116.5, section 116.6, section 116.7, and section 116.8) were adopted by the Texas Air Control Board on March 27, 1975 and submitted by the Governor on May 9, 1975.

(37) Revisions to Regulation VI (i.e., the deletion of 131.08.00.009) were adopted by the Texas Air Control Board on March 30, 1979 and submitted by the Governor on April 13, 1979.

(38) Revisions to Regulation VI (i.e., the deletion of 131.08.00.003(a)(3) and 131.08.00.003(a)(5), section 116.3(a)(4), section 116.3(a)(5), section 116.3(a)(9), section 116.3(a)(10), section 116.3(a)(12), and section 116.10) were adopted by the Texas Air Control Board on March 20, 1981 and submitted by the Governor on July 20, 1981.

(39) [Reserved]

(40) Revisions to Subchapter 115.135 (formerly 131.07.54.105) of Regulation V were adopted by the Texas Air Control Board on September 7, 1979 and submitted by the Governor to EPA on November 2, 1979 (i.e., removal of Jefferson, Orange, El Paso, Nueces, and Travis Counties).

(41) The Texas Lead SIP was submitted to EPA on June 12, 1980, by the Governor of Texas, as adopted by the Texas Air Control Board on March 21, 1980. Additional information was submitted in letters dated January 29, 1982, March 15, 1982, June 3, 1982, June 15, 1982, August 23, 1982, and October 14, 1982. Also additional information and Board Order 82-11 were submitted in a letter dated December 3, 1982. No action is taken regarding the Dallas and El Paso areas.

(42) An administrative revision for Section VIII (Texas Air Pollution Emergency Episode Contingency Plan) and a revision to Regulation VIII (Control of Air Pollution Episodes) was submitted by the TACB on May 18, 1982 and December 29, 1981, respectively.

(43) A revision to Regulation V deleting Ector County from the provisions of subsections 115.111 and .113 was adopted on March 20, 1981 and submitted by the Governor on July 20, 1981.

(44) Revisions to Regulation I, sections 111.2(7), 111.3, 111.11, 111.12, 111.26, 111.61-111.65, and 111.71-111.76, for control of particulate matter and visible emissions as submitted by the Governor on January 22, 1974.

(45) Revisions to Regulation I, section 111.2 for control of particulate matter and visible emissions as submitted by the Governor on December 29, 1975.

(46) Revisions to Regulation I, Sections 111.2(8), 111.2(9), 111.22, 111.91 and 111.92 for control of particulate matter and visible emissions as submitted by the Governor on April 13, 1979.

(47) Revisions to section XII (Resources) as submitted by the Executive Director on July 6, 1982.

(48) Revisions to Subchapters 115.111-115.113 (formerly 131.07.52.101-131.07.52.104) regarding gasoline bulk terminals, 115.123-115.124 (formerly 131.07.53.101-131.07.53.103) regarding gasoline bulk plants, and 115.131-115.135 (formerly 131.07.54.101-131.07.54.105) regarding the filling of gasoline storage vessels at motor vehicle fuel dispensing facilities (Stage I vapor recovery at service stations) of Regulation V for the counties of Harris, Galveston, Brazoria, Bexar, Dallas, and Tarrant were adopted by the Texas Air Control Board on March 30, 1979 and submitted by the Governor to EPA on April 13, 1979.

(49) Revisions to Subchapters 115.111 and 115.113 (formerly

131.07.52.101 and 131.07.52.103) regarding gasoline bulk terminals, 115.121 and 115.123 (formerly 131.07.53.101 and 131.07.53.103) regarding gasoline bulk plants, and 115.131, 115.132, and 115.135 (formerly 131.07.54.101, 131.07.54.102, and 131.07.54.105) regarding the filling of gasoline storage vessels at motor vehicle fuel dispensing facilities (Stage I vapor recovery at service stations) of Regulation V were adopted by the Texas Air Control Board on July 11, 1980 and submitted by the Governor to EPA on July 25, 1980.

(50) Revisions to the General Rules (i.e., deletion of the definitions for chemical process plant, exhaust emission, gas processing plant, and nonmethane hydrocarbons, and revisions to the definitions for gasoline bulk plant, gasoline terminal, lowest achievable emission rate, standard conditions, submerged fill pipe, paper coating, and light-duty truck coating), Regulation I (i.e., the deletion of sections 111.61-111.65, revisions to title of sections 111.71-111.76 and section 111.71, addition of sections 111.81-111.83, deletion of section 111.91, and revisions to section 111.92), and Regulation V (i.e., section 115.1, sections 115.11-115.13, sections 115.31-115.32, sections 115.41-115.45, section 115.81, and section 115.91, all for Bexar County only: and, sections 115.101-115.106; title of sections 115.141-115.144 and section 115.141, section 115.142, and section 115.144; title of sections 115.151-115.153 and section 115.152, and section 115.153; sections 115.161-115.163 and title; title of sections 115.171-115.176 and section 115.173, section 115.175, and section 115.176; title of sections 115.191-115.194 and section 115.191, section 115.192, and section 115.193; title of sections 115.201-115.203 and section 115.203; title of sections 115.221-115.223 and sections 115.222-115.223; sections 115.231-115.233 and title; title of sections 115.251-115.255 and section 115.253, and section 115.255; section 115.401; title of sections 115.411-115.413 and sections 115.411 and 115.412; title only of sections 115.421-115.424) were adopted by the Texas Air Control Board on January 8, 1982, and submitted by the Governor on August 9, 1982, with an addendum from the State on January 13, 1983.

EDITORIAL NOTE: At 48 FR 13428, Mar. 31, 1983, the following paragraph (c)(50) was added to § 52.2270. This paragraph will be correctly designated by an EPA document published in the FEDERAL REGISTER at a later date.

(50) A revision to Section III (Public Participation/Intergovernmental Coordination) was submitted by the Texas Air Control Board on August 17, 1982 and a letter of clarification was submitted on January 28, 1983. The revision also supercedes and deletes Section XIII which was approved on May 31, 1972.

(51) An administrative revision to Section IX, Air Quality Surveillance, was submitted by the TACB on June 22, 1983. (Nonregulatory)

(52) A revision to Regulation VI (i.e., the addition of section 116.11) was adopted by the Texas Air Control Board on December 3, 1982, and submitted by the Governor on May 13, 1983.

(53) Revisions to the Texas State Implementation Plan for lead for Dallas County (concerning a lead control plan for the area around the secondary lead smelter in West Dallas), were submitted to EPA on April 6, 1984, by the Governor of Texas, as adopted by the Texas Air Control Board on February 17, 1984.

(54) Revisions to the Texas State Implementation Plan for lead for Dallas County (concerning a lead control plan for the area around the secondary lead smelter in South Dallas), and revisions to Regulation III, chapter 113, Subchapter B, Lead Smelters in Dallas County, were submitted to EPA on July 16, 1984, by the Governor of Texas, as adopted by Texas Air Control Board on May 18, 1984. No action is taken on Regulation III, Sections 113.113 and 113.114.

(55) Revisions to the Texas State Implementation Plan for lead for El Paso County, with revisions to Regulation III, Chapter 113, Subchapter B, Nonferrous Smelters in El Paso County, were submitted to EPA on June 20, 1984, by the Governor of Texas, as adopted by Texas Air Control Board on February 17, 1984. Also

letters providing additional information were submitted by Texas on June 11 and June 28, 1984. No action is taken on Regulation III, Sections 113.111 113.112. The date of compliance listed in § 113.122 of February 28, 1989 (for section 113.53) is disapproved. EPA is taking no action on the attainment date for El Paso County.

(56)—(58) [Reserved]

(59) Revisions to TACB Regulation VI and definitions in the General Rules as adopted on June 10, 1983 and submitted by the Governor on December 22, 1983, including a letter of clarification on their definitions submitted by the Texas Air Control Board on March 27, 1984.

(60) The Alternative Emission Control Plan for the Exxon Baytown Refinery in Baytown, Texas was adopted by the Texas Air Control Board on March 18, 1983, in Board Order No. 83-2.

(61) Revisions to the plan for attainment of the standard for Ozone in Harris County were submitted by the Governor on December 9, 1982, January 3, 1984, and March 18, 1985.

(i) Revisions adopted on December 3, 1982, include the following changes to Regulation V and the general rules. New sections or subsections 115.105(7), 115.111(2)(b), 115.111(2)(c), 115.111(2)(d), 115.163, 115.164, 115.193(c)(5), 115.193(c)(6), 115.271, 115.272, 115.273, 115.274, 115.275, and 115.421 are added. Revisions to 115.106(b), 115.106(c), 115.113, 115.141, 115.142, 115.161, 115.162, 115.191(9)(a)(i), 115.251(a)(1), 115.252(a)(4), 115.252(b), 115.252(c), 115.253(a), 115.254, 115.255(c), and 115.401(b) were made. Section 101.1 of the general rules was revised to include definitions of new terms. The revisions also included the following commitments: emissions tracking, pages 87-88; projections of reasonable further progress, pages 91 and 93; and emission reduction commitments for transportation control measures, Appendix V.

(ii) Revisions adopted on September 9, 1983, include revisions to Regulation IV. New sections or subsections 114.1(e), 114.1(f), 114.3, and 114.5 are added.

(iii) Revisions adopted on November 9, 1984 include the following:

(A) Recordkeeping and record submittal requirements, pages 12-13,

(B) Mechanics training program commitments, pages 17-18,

(C) Public Awareness Plan commitments, pages 19-20,

(D) Implementation Schedule, page 25(1-3),

(E) Reasonable Further Progress Chart, Table 13, and

(F) Department of Public Safety and Texas Air Control Board Rules and Regulations, Texas Vehicle Inspection Act Article XV, and Documentation to Authorize and Support the Implementation and Enforcement of the Texas Vehicle Parameter Inspection and Maintenance Program, Appendix X, containing the following documents:

—Senate Bill 1205

—Letters of commitment from Texas Department of Public Safety, City of Houston Police Department, and Harris County Sheriff

—Parameter Vehicle Emission Inspection and Maintenance Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, July 1, 1984

—Texas Motor Vehicle Laws, 1981-1982

—Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, November 11, 1983, Sections A, B, C pages C-1, C-16, C-17, C-18, C-26, C-27, and C-28, D, and E pages E-1, E-6, E-7, E-8, and E-9.

(62) [Reserved]

(63) Revisions to TACB Regulation VI and definitions in the General Rules were submitted by the Governor on December 13, 1985.

(i) Incorporation by reference. December 13, 1985 letter from the Governor to EPA, and Revisions adopted on September 20, 1985, include the following changes to Regulation VI and the General Rules. Revisions to § 116.11 were made, and § 101.1 of the General Rules was revised to include an amendment to the term "major facility/stationary source."

(64) [Reserved]

(65) In a October 26, 1987, letter, the Governor of Texas submitted a revision to the Texas State Implementation Plan for Lead in El Paso County. These revisions to the control strategy are adequate to demonstrate attainment by August 14, 1987, of the Na-

tional Ambient Air Quality Standards for lead in El Paso County by modeling. Enclosed in this letter were Texas Air Control Board (TACB) Board Order No. 87-14 as passed and approved on August 14, 1987; the revisions to Regulation III, Subchapter B as appended to the Board Order; and a certification of Public Hearing.

(i) Incorporation by reference.

(A) TACB Board Order No. 87-14, as adopted on August 14, 1987.

(B) The March 22, 1988, letter and enclosures from TACB to EPA.

[37 FR 10895, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2270, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2271 Classification of regions.

(a) The Texas plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Abilene-Wichita Falls Intrastate	II	III	III	III	II
Amarillo-Lubbock Intrastate	II	III	III	III	II
Austin-Waco Intrastate	II	III	III	III	I
Brownsville-Laredo Intrastate	I	III	III	III	II
Corpus Christi-Victoria Intrastate	I	II	III	III	I
Midland-Odessa-San Angelo Intrastate	II	II	III	III	II
Metropolitan Houston-Galveston Intrastate	I	I	III	III	I
Metropolitan Dallas-Fort Worth Intrastate	II	III	III	III	I
Metropolitan San Antonio Intrastate	II	III	III	III	I
Southern Louisiana-Southeast Texas Interstate	II	I	III	III	I
El Paso-Las Cruces Alamogordo Interstate	I	IA	III	I	I
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	II

(b) The proposed priority classifications for particulate matter and carbon monoxide submitted by the Governor on March 21, 1975 are disapproved.

(c) The revision of section II, classification of regions, submitted by the Texas Air Control Board with the semiannual in 1975 is disapproved.

[37 FR 10895, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 42 FR 20131, Apr. 18, 1977; 42 FR 27894, June 1, 1977; 45 FR 19244, Mar. 25, 1980]

§ 52.2272 Extensions.

(a) The Administrator hereby extends the attainment dates for the national standards for photochemical oxidants (hydrocarbons) to May 31, 1977, in the following Air Quality Control Regions as defined in Part 81 of this chapter; Austin-Waco, Corpus Christi-Victoria, Metropolitan Dallas-Fort Worth, Metropolitan Houston-Galveston, Metropolitan San Antonio Intrastate, the Texas portion of the El Paso-Las Cruces-Alamogordo Interstate, and the Texas portion of the Southern Louisiana-Southeast Texas Interstate.

(b) The Administrator hereby extends to December 31, 1987, the attainment date for ozone in Harris County.

[42 FR 37380, July 21, 1977, as amended at 45 FR 19244, Mar. 25, 1980]

§ 52.2273 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Texas' plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfac tion of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 198 for the sources covered by CTG issued between January 1978 and Jan uary 1979 and adoption and submitta by each subsequent January of add tional RACT requirements for source covered by CTGs issued by the previous January.

(a) In the Texas lead SIP and the Texas Regulations for the control of lead stationary sources in El Paso County, the date of compliance in section 113.122 of February 28, 1989 (as applicable to section 113.53) is disapproved. EPA is taking no action on the attainment date for El Paso County.

[45 FR 19244, Mar. 25, 1980, as amended at 49 FR 32190, Aug. 13, 1984]

§ 52.2274 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2275 Control strategy and regulations: Ozone.

(a) Section 510.3 of revised Regulation V, which was submitted by the Governor on July 20, 1977, is disapproved.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (d) of this section shall be implemented in accordance with the schedule set forth below.

(c)(1) Removal from service of a 12,000 BPD vacuum distillation unit at the Corpus Christi refinery of the Champlin Petroleum Company, Corpus Christi, Texas, with a final compliance date no later than October 1, 1979. This shall result in an estimated hydrocarbon emission reduction of at least 139 tons per year.

(2) Dedication of gasoline storage tank 91-TK-3 located at the Corpus Christi refinery of the Champlin Petroleum Company, Corpus Christi, Texas to the exclusive storage of No. 2 Fuel Oil or any fluid with a vapor pressure equivalent to, or less than that of No. 2 Fuel Oil, with a final compliance date no later than October 1, 1979. This shall result in an estimated hydrocarbon emission reduction of at least 107.6 tons per year.

(d) For purposes of Federal enforcement, the following test methods shall be used:

(1) For perchloroethylene dry cleaning systems subject to sections 115.221-115.223 of Regulation V of the Texas Air Control Board (TACB) Regulations, compliance with the requirements therein shall be determined by the following test methods and procedures:

(i) There shall be no liquid leakage of volatile organic compounds from any perchloroethylene dry cleaning system. Liquid leakage shall be determined by visual inspection of the following sources:

(A) Hose connections, unions, coupling and valves.

(B) Machine door gasket and seating.

(C) Filter head gasket and seating.

(D) Pumps.

(E) Base tanks and storage containers.

(F) Water separators.

(G) Filter sludge recovery.

(H) Distillation units.

(I) Divertor valves.

(J) Saturated lint from lint basket.

(K) Cartridge filters.

The dryer exhaust must be vented through a carbon adsorber or equivalent control system for a vented solvent concentration of 100 ppm or less before dilution as determined by utilizing equipment which has already been shown to meet this limitation. The amount of solvent in filter and distillation wastes shall be determined by utilizing the test method described by the American National Standards Institute in the paper, "Standard Method of Test for Dilution of Gasoline-Engine Crankcase Oils."

(2) For petroleum refineries subject to sections 115.251-115.255 of Regulation V of the TACB Regulations, compliance with the requirements shall be determined by the following test methods and procedures:

(i) No component of any petroleum refinery shall be allowed to leak at a rate which would result in a volatile organic compound concentration exceeding 10,000 parts per million (ppm) when tested in the manner described in Appendix B of the OAQPS guideline series: "Control of Volatile Organic Compound Leaks from Petroleum

Refinery Equipment," (EPA 450/2-78-036).

(3) For gasoline tank trucks subject to section 115.261-115.264 of Regulation V of the TACB Regulations and for vapor collection systems subject to sections 115.111-115.113, 115.121-115.123, and 115.131-115.135 of Regulation V of the TACB Regulations, compliance with the requirements therein shall be determined by the following test methods and procedures:

(i) *Gasoline tank trucks.* Gasoline tank trucks and their vapor collection systems shall not sustain a pressure change of more than three inches of water (0.75kPa) in five minutes when pressurized to eighteen inches of water (4.5kPa) or evacuated to six inches of water (1.45kPa) using the test procedure described in Appendix A of the OAQPS Guideline series: "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems," December 1978, (EPA 450/2-78-051).

(ii) *Vapor collection system.* Loading and unloading operations shall not produce a reading equal to or greater than 100 percent of the lower explosive limit (LEL, measured as propane) at 2.5 centimeters around the perimeter of a potential leak source as detected by a combustible gas detector using the test procedure described in Appendix B of the OAQPS Guideline series: "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems," December 1978, (EPA 450/2-78-051). Vapor collection and processing equipment shall be designed and operated to prevent tank truck gauge pressure from exceeding eighteen inches of water (4.5kPa) and prevent vacuum from exceeding six inches of water (1.5kPa).

[42 FR 37380, July 21, 1977, as amended at 44 FR 5662, Jan. 29, 1979; 44 FR 55006, Sept. 24, 1979; 45 FR 19244, Mar. 25, 1980; 46 FR 47545, Sept. 29, 1981; 47 FR 20770, May 14, 1982; 47 FR 50868, Nov. 10, 1982]

§ 52.2276 Control strategy and regulations: Particulate matter.

(a) *Part D conditional approval.* The Texas plan for total suspended particulate (TSP) for the nonattainment area of Dallas 3 is conditionally approved until the State satisfactorily completes the following items:

(1) Draft SIP revision supplement submitted to EPA by March 3, 1980.

(2) Public hearing completed by May 5, 1980.

(3) Adopt revision and revised Regulation I as it pertains to control of nontraditional sources, if necessary, and submit to EPA by August 1, 1980.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (c) of this section shall be implemented in accordance with the schedule set forth below.

(c) No later than January 1, 1980, Parker Brothers and Co., Inc., at its limestone quarry facilities near New Braunfels, Comal County, Texas shall install fabric filters on the primary crusher and on the secondary crusher and screens, meeting the requirements of Appendix A of the Texas Air Control Board Order 78-8 adopted August 11, 1978. After the date of installation of the fabric filters, Parker Brothers and Co., Inc., shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust stack of the fabric filter on its primary crusher and shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust stack of the fabric filter on its secondary crusher and screens.

[46 FR 43425, Aug. 28, 1981, and 46 FR 47545, Sept. 29, 1981]

§§ 52.2277—52.2278 [Reserved]

§ 52.2279 Attainment dates for national standards.

The table below presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Texas' plan, except where noted.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone	Lead
	Primary	Secondary	Primary	Secondary				
Abilene-Wichita Falls Intrastate	b	b	b	b	a	a	a	e
Amarillo-Lubbock Intrastate	b	b	b	b	a	a	a	e
Austin-Waco Intrastate	b	b	a	a	a	a	5/31/77	e
Brownsville-Laredo Intrastate (except Cameron County	b	b	a	a	a	a	a	e
Brownsville-Laredo Intrastate (Cameron County only)	[1]c	[1]d	a	a	a	a	a	e
Corpus Christi-Victoria Intrastate (except Nueces and Victoria Counties)	[1]b	[1]b	b	b	a	a	5/31/77	e
Corpus Christi-Victoria Intrastate (Nueces County only)	[1]c	[1]d	b	b	a	a	c	e
Corpus Christi-Victoria Intrastate (Victoria County only)	b	b	b	b	a	a	c	e
Midland-Odessa-San Angelo Intrastate (except Ector County)	b	b	b	b	a	a	a	e
Midland-Odessa-San Angelo Intrastate (Ector County Only)	b	b	b	b	a	a	c	e
Metropolitan Houston-Galveston Intrastate (except Brazoria, Harris and Galveston Counties)	b	b	b	b	a	a	5/31/77	e
Metropolitan Houston-Galveston Intrastate (Brazoria and Galveston Counties only)	b	b	b	b	a	a	c	e
Metropolitan Houston-Galveston Intrastate (Harris County only)	[1]c	[1]d	b	b	a	a	d	e
Metropolitan Dallas-Fort Worth Intrastate (except Dallas and Tarrant Counties)	b	b	a	a	a	a	d	e
Metropolitan Dallas-Fort Worth Intrastate (Dallas County only)	[1]c	[1]d	a	a	a	a	c	6/30/85
Metropolitan San Antonio Intrastate (except Bexar County)	b	b	a	a	a	a	c	e
Metropolitan San Antonio Intrastate (Bexar County only)	b	b	a	a	a	a	c	e
Southern Louisiana-Southeast Texas Interstate (except Jefferson and Orange Counties)	b	b	b	b	a	a	c	e
Southern Louisiana-Southeast Texas Interstate (Jefferson and Orange Counties only)	b	b	b	b	a	a	c	e
El Paso-Las Cruces-Alamogordo Interstate (except El Paso County)	b	b	b	b	a	b	*5/31/77*	e
El Paso-Las Cruces Almagordo Interstate (El Paso County only)	[1]c	[1]d	b	b	a	[1]c	c	f
In City of El Paso, for an area immediately around ASARCO smelter, 0.5 km to the West and South, 2.0 to the North and East, and 1.5 km to the Southeast from the Smelter's copper stack								f
Shreveport-Texarkana-Tyler Interstate (except Gregg County)	b	b	a	a	a	a	a	e
Shreveport-Texarkana-Tyler Interstate (Gregg County only)	b	b	a	a	a	a	c	e

NOTE 1: Dates or footnotes which are italicized are prescribed by the Administrator because the plan does not provide a specific date.

a. Air quality levels presently below secondary standards.
b. July 1975.
c. December 31, 1982.
d. December 31, 1987.
e. November 5, 1982.
f. August 14, 1987.
g. No action taken.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2279 (1978).

[1] Portions of the county or counties.

[45 FR 19245, Mar. 25, 1980, as amended at 48 FR 45248, Oct. 4, 1983; 49 FR 32190, Aug. 13, 1984; 49 FR 32580, Aug. 15, 1984; 53 FR 16263, May 6, 1988]

§§ 52.2280—52.2281 [Reserved]

§ 52.2282 Public hearings.

(a) The requirements of § 51.102 of this chapter are not met because principal portions of the revised plan were not made available to the public for inspection and comment prior to the hearing.

[38 FR 16568, June 22, 1973, as amended at 51 FR 40675, Nov. 7, 1986]

§§ 52.2283—52.2284 [Reserved]

§ 52.2285 Control of evaporative losses from the filling of gasoline storage vessels in the Houston and San Antonio areas.

(a) Definitions:

(1) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater which is produced for use as a motor fuel and is commonly called gasoline.

(2) "Storage container" means any stationary vessel of more than 1,000 gallons (3,785 liters) nominal capacity. Stationary vessels include portable vessels placed temporarily at a location; e.g., tanks on skids.

(3) "Owner" means the owner of the gasoline storage container(s).

(4) "Operator" means the person who is directly responsible for the operation of the gasoline storage container(s), whether the person be a lessee or an agent of the owner.

(5) "Delivery Vessel" means tank trucks and tank trailers used for the delivery of gasoline.

(6) "Source" means both storage containers and delivery vessels.

(b) This section is applicable to the following counties in Texas: Harris, Galveston, Brazoria, Fort Bend, Waller, Montgomery, Liberty, Chambers, Matagorda, Bexar, Comal, and Guadalupe.

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of total hydrocarbon compounds in said vapors.

(1) The vapor recovery system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Other equipment that prevents release to the atmosphere of no less than 90 percent by weight of the total hydrocarbon compounds in the displaced vapor provided that approval of the proposed design, installation, and operation is obtained from the Regional Administrator prior to start of construction.

(2) The vapor recovery system shall be so constructed that it will be compatible with a vapor recovery system, which may be installed later, to recover vapors displaced by the filling of motor vehicle tanks.

(3) The vapor-laden delivery vessel shall meet the following requirements:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) If any gasoline storage compartment of a vapor-laden delivery vessel is refilled in one of the counties listed in paragraph (b) of this section, it shall be refilled only at a facility which is equipped with a vapor recovery system, or the equivalent, which prevents release to the atmosphere of at least 90 percent by weight of the total hydrocarbon compounds in the vapor displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of one thousand gallons or less in gasoline delivery vehicles presently in use on November 6, 1973 will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage vessels served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used for the storage of gasoline "used on a farm for farming purposes," as that expression is used in the Internal Revenue Code, 26 U.S.C. section 6420.

(2) Any container having a nominal capacity less than 2,000 gallons (7,571 liters) installed prior to November 6, 1973.

(3) Transfers made to storage containers equipped with floating roofs or their equivalent.

(4) Any facility for loading and unloading of volatile organic compounds (including gasoline bulk terminals) in Bexar, Brazoria, Galveston and Harris Counties, any gasoline bulk plants in Harris County, and any filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Bexar, Brazoria, Galveston, and Harris Counties which is subject to Texas Air Control Board Regulation V subsections 115.111-115.113, 115.121-115.123, and 115.131-115.135, respectively.

(e) Except as provided in paragraph (f) of this section, the owner or operator of a source subject to paragraph (c) of this section shall comply with the increments contained in the following compliance schedule:

(1) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification not later than March 31, 1975.

(2) Initiation of onsite construction or installation of emission control equipment or process change must begin not later than July 1, 1975.

(3) On-site construction or installation of emission control equipment or process modification must be completed no later than June 30, 1976.

(4) Final compliance is to be achieved no later than August 31, 1976.

(5) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify in writing to the Regional Administrator whether or not the required increment of progress has been met. The certification shall be submitted within five days after the deadlines for each increment. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies, and the date(s) the increment(s) of progress was (were) met—if met. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(f) Paragraph (e) of this section shall not apply to the owner or operator of:

(1) A source which is presently in compliance with paragraph (c) of this section and which has certified such compliance to the Regional Administrator by January 1, 1974. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator receives approval from the Administrator by June 1, 1974, of a proposed alternative schedule. No such schedule may provide for compliance after August 31, 1976. If approval is promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(h) After August 31, 1976 paragraph (c) of this section shall be applicable to every storage container (except those exempted in paragraph (d) of this section) located in the counties specified in paragraph (b) of this section. Every storage container installed after August 31, 1976 shall comply with the requirements of paragraph (c) of this section from the time of installation. In the affected counties, storage containers which were installed, or converted to gasoline storage after November 6, 1973, but before August 31, 1976 shall comply with paragraph (c) of this section in accordance with the schedule established in paragraph (e) of this section.

[42 FR 37380, July 21, 1977, as amended at 47 FR 50868, Nov. 10, 1982; 51 FR 40676, Nov. 7, 1986]

§ 52.2286 Control of evaporative losses from the filling of gasoline storage vessels in the Dallas-Fort Worth area.

(a) Definitions:

(1) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater which is produced for use as a motor fuel and is commonly called gasoline.

(2) "Storage container" means any stationary vessel of more than 1,000 gallons (3,785 liters) nominal capacity. Stationary vessels include portable vessels placed temporarily at a location; e.g., tanks on skids.

(3) "Owner" means the owner of the gasoline storage container(s).

(4) "Operator" means the person who is directly responsible for the operation of the gasoline storage container(s), whether the person be a lessee or an agent of the owner.

(5) "Delivery Vessel" means tank truck and tank trailers used for the delivery of gasoline.

(6) "Source" means both storage containers and delivery vessels.

(b) This section is applicable to the following counties in Texas: Dallas, Tarrant, Denton, Wise, Collin, Parker, Rockwall, Kaufman, Hood, Johnson, and Ellis.

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of total hydocarbon compounds in said vapors.

(1) The vapor recovery system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Other equipment that prevents release to the atmosphere of no less than 90 percent by weight of the total hydrocarbon compounds in the displaced vapor provided that approval of the proposed design, installation, and operation is obtained from the Regional Administrator prior to start of construction.

(2) The vapor recovery system shall be so constructed that it will be compatible with a vapor recovery system, which may be installed later, to recover vapors displaced by the filling of motor vehicle tanks.

(3) The vapor-laden delivery vessel shall meet the following requirements:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) If any gasoline storage compartment of a vapor-laden delivery vessel is refilled in one of the counties listed in paragraph (b) of this section, it shall be refilled only at a facility which is equipped with a vapor recovery system, or the equivalent, which prevents release to the atmosphere of at least 90 percent by weight of the total hydrocarbon compounds in the vapor displaced from the delivery vessel during refilling.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used for the storage of gasoline "used on a farm for farming purposes", as that expression is used in the Internal Revenue Code, 26 U.S.C. section 6420.

(2) Any container having a nominal capacity less than 2,000 gallons (7,571 liters) installed prior to promulgation of this section.

(3) Transfers made to storage containers equipped with floating roofs or their equivalent.

(4) Any facility for loading and unloading of volatile organic compounds (including gasoline bulk terminals) in Dallas or Tarrant County, and any filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Dallas or Tarrant County which is subject to Texas Air Control

Board Regulation V subsections 115.111-115.113 and 115.131-115.135, respectively.

(e) Except as provided in paragraph (f) of this section, the owner or operator of a source subject to paragraph (c) of this section shall comply with the increments contained in the following compliance schedule:

(1) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification no later than September 30, 1977.

(2) Initiation of on-site construction or installation of emission control equipment or process modification must begin no later than January 31, 1978.

(3) On-site construction or installation of emission control equipment or process modification must be completed no later than August 31, 1978.

(4) Final compliance is to be achieved no later than September 30, 1978.

(5) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify in writing to the Regional Administrator whether or not the required increment of progress has been met. The certification shall be submitted not later than February 15, 1978, for award of contracts and initiation of construction, and not later than October 15, 1978, for completion of construction and final compliance. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies, and the date(s) the increment(s) of progress was (were) met—if met. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(f) Paragraph (e) of this section shall not apply to the owner or operator of:

(1) A source which is presently in compliance with paragraph (c) of this section and which has certified such compliance to the Regional Administrator by August 1, 1977. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(2) A source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator receives approval from the Administrator by August 1, 1977, of a proposed alternative schedule. No such schedule may provide for compliance after September 30, 1978. If approval is promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) After September 30, 1978, paragraph (c) of this section shall be applicable to every storage container (except those exempted in paragraph (d) of this section) located in the counties specified in paragraph (b). Every storage container installed after September 30, 1978 shall comply with the requirements of paragraph (c) of this section from the time of installation. In the affected counties, storage containers which were installed, or coverted to gasoline storage after promulgation of this section, but before September 30, 1978 shall comply with paragraph (c) of this section in accordance with the schedule established in paragraph (e).

[42 FR 37381, July 21, 1977, as amended at 47 FR 50868, Nov. 10, 1982]

§§ 52.2287—52.2293 [Reserved]

§ 52.2294 Incentive program to reduce vehicle emissions through increased bus and carpool use.

(a) Definitions:

(1) "Bus/carpool lane" means a lane on a street or highway open only to buses (or buses and carpools), whether constructed specially for that purpose or converted from existing lanes.

(2) "Central business district" is defined for each of the major cities in the affected areas as follows:

(i) For the City of Houston, in Harris County, that area bounded on the northwest by Interstate 45, on the southwest by Interstate 45, on the northeast by Franklin Street, and on the southeast by Crawford Street.

(ii) For the City of Dallas, in Dallas County, that area bounded on the west by Interstate 35, on the south by Interstate 20, on the east by Central Expressway (U.S. 75) and on the north by Woodall Rogers Freeway right of way.

(iii) For the City of Fort Worth, in Tarrant County, that area bounded on the west by Henderson Street, on the south by Interstate 20, on the east by Interstate 35 West, and on the north by Belknap Street.

(iv) For the City of San Antonio, in Bexar County, that area bounded on the west and northwest by U.S. 81, on the south and southeast by Alamo Street from U.S. 81 to Victoria Street, and by Victoria Street to the Southern and Pacific Railroad tracks, on the east by the Southern and Pacific Railroad tracks, and on the northeast by Jones Avenue to U.S. 81.

(b) On or before September 1, 1979, the State of Texas or a State designated local or regional transportation agency shall perform and complete feasibility studies, with recommendations, on incentive measures to reduce emissions by vehicles through increased bus and carpool use (or other appropriate measures) in the Harris, Dallas, Tarrant, and Bexar County area in Texas. The feasibility studies and plan implementation shall be based initially on three or more passenger carpools, with modification allowed under paragraph (e) of this section. Factors which should be considered in connection with the feasibility of such mechanisms should include, but are not limited to, the physical characteristics of the roads, predicted bus volumes, before/after person capacity with and without the measure, cumulative net time savings cost, the usefulness of mechanisms in reducing commuter vehicle miles traveled, and other costs and benefits to users and non-users. The feasibility studies shall also include a discussion of the measures considered and how the measures were organized into a comprehensive plan. The criteria used for the selection or rejection of individual measures and plans should be explicitly stated. The measures and plans should also be ranked and categorized according to the following scheme: Most feasible: Ready for implementation in 1-3 years; feasible: Appears to be feasible but requires further study; not feasible: Permanently rejected.

Such measures shall include, but are not limited to:

(1) Alternative mechanisms for bus/carpool preferential treatment.

(i) Such mechanisms shall include, but are not limited to:

(A) Exclusive bus/carpool lanes, either with-flow or contraflow lanes;

(B) Preferential use by buses and carpools of freeway on and off ramps in the affected counties; and

(C) Signal preemption by buses.

(ii) Such mechanisms should be considered for use in the central business districts of the major cities in the affected counties and in the following traffic corridors and/or other routes as the study may determine to be feasible:

(A) *Harris County.*

(*1*) North and South corridor: Interstate 45 from Little York Road to Houston central business district to Almeda Genoa Road.

(*2*) North corridor: U.S. 59 from Little York Road to Interstate 10.

(*3*) West corridor: Interstate 10 from Gessner Road to Interstate 45.

(*4*) Southwest corridor: U.S. 59 from Fondren Road to Interstate 45.

(*5*) East corridor: Interstate 10 from East Loop 610 to Houston central business district.

(*6*) Circumferential corridor: Interstate 610.

(B) *Dallas County.*

(*1*) North and South corridors: U.S. 75 from Loop 635 North to Dallas central business district to South Loop 635.

(*2*) Northwest and South corridors Interstate 35E from North Loop 635 to Commerce Street to South Loop 635.

(3) Southeast corridor: U.S. 175 from East Loop 635 to Dallas central business district.

(4) South corridor: Interstate 45 from South Loop 635 to Dallas central business district.

(5) East corridor: Interstate 20 from East Loop 635 to Dallas central business district.

(6) Northeast corridor: Interstate 30 from East Loop 635 to Interstate 20.

(7) Northwest corridor: Harry Hines Boulevard from North Loop 635 to Dallas central business district.

(8) West corridor: U.S. 80 from West Loop 12 to Dallas central business district.

(9) South corridor: U.S. 67 from Interstate 20 to Dallas central business district.

(10) Circumferential corridor: Interstate 635.

(C) *Tarrant County.*

(1) North corridor: Interstate 35W from Loop 820 North to Fort Worth central business district.

(2) Northeast corridor: State highway 121 from Loop 820 East to Fort Worth central business district.

(3) East corridor: U.S. 80 from East Loop 820 to Fort Worth central business district.

(4) Southeast corridor: U.S. 287 from Loop 820 East to Fort Worth central business district.

(5) South corridor: Interstate 35W from South Loop 820 to Fort Worth central business district.

(6) West corridor: Interstate 20 from U.S. 377 to Fort Worth central business district.

(7) West corridor: Camp Bowie Boulevard from U.S. 377 to West 7th Street and West 7th Street to Fort Worth central business district.

(8) Northwest corridor: U.S. 199 from Lake Worth Village to Fort Worth central business district.

(9) Circumferential corridor: Interstate 820.

(D) *Bexar County.*

(1) North corridor: U.S. 281 from Loop 410 North to U.S. 81.

(2) Northeast corridor: U.S. 81 B. R. from Loop 410 North to U.S. 81.

(3) East corridor: Interstate 35 (U.S. 81) from Loop 410 East to San Antonio central business district.

(4) Southeast corridor: Interstate 37 from Loop 410 South to Interstate 35 (U.S. 81).

(5) Southwest corridor: Interstate 35 from Loop 410 South to Interstate 35 North (U.S. 81).

(6) Northwest corridor: Interstate 10 (U.S. 87 North) from Loop 410 North to San Antonio central business district.

(7) West corridor: U.S. 90 from Loop 410 West to Interstate 35.

(8) Circumferential corridor: Interstate 410.

(2) Toll restructuring on the two Texas Turnpike Authority roads (Dallas North Tollway and Dallas-Fort Worth Turnpike) so as to provide incentives for bus and carpool use, such as (but not limited to):

(i) Preferential lanes at toll gates and/or lower tolls for buses and carpools;

(ii) Raising tolls during commuting hours so as to collect all revenues during those hours and allowing free usage at other times.

(3) Other incentives for reduced vehicle use, such as (but not limited to):

(i) Transit system improvements including implementation or expansion of park and ride facilities.

(ii) Restriction or elimination of on street parking in the central business districts of the major cities.

(iii) Vehicle free or bus only zones.

(iv) Improved facilities for bicycle use including bikeways and storage facilities.

(c) On or before December 31, 1977, the State of Texas or a State designated local or regional transportation agency shall submit to the Regional Administrator a scope of work for each study specified in paragraph (b) of this section. The State or designated agency shall also submit on this date a schedule describing the timing and contributions of agency participants. On or before June 1, 1978, the State shall submit to the Regional Administrator a summary of progress to date and any necessary modification to the schedule of timing and contributions of agency participants. In addition to the complete feasibility studies which are to be submitted on or before September 1, 1979, a timetable showing the schedule of further detailed engineering studies and tentative implementation dates shall be prepared and submitted by the State and participating local and regional agencies for all those measures determined to be feasible or most feasible. To the fullest extent possible this timetable should coincide with, and the studies result from, the ongoing planning and programming activities required by the U.S. Department of Transportation in 40 FR 42976, published September 17, 1975.

(d) The State of Texas shall structure the studies so as to ensure the effective participation of all affected State, regional, and local agencies whose area of jurisdiction would be affected by any matter to be studied. To the maximum extent possible, the studies should make use of the urban transportation plan for each region.

(e) The Regional Administrator may approve a carpool scheme for a specific traffic corridor based on less than three passengers per vehicle after a valid trial period and evaluation. Approval will be based on submission by the state of traffic and resulting hydrocarbon emission data for an implemented three or more passenger carpool on the corridor and a justification for change based on air quality impact.

[42 FR 37383, July 21, 1977]

§ 52.2295 [Reserved]

§ 52.2296 Carpool matching and promotion system.

(a) Definitions:

(1) "Carpool" means two or more persons utilizing the same vehicle.

(2) "Major Employment facility" means any single employer location having 250 or more employees.

(3) "Commuter" means an employee who travels regularly to a place of employment.

(4) "Time-origin-destination (TOD) information" means specifications of a driver or rider's work schedule, home and work locations.

(b) This section is applicable to the following cities in the State of Texas: Houston, Dallas, Fort Worth and San Antonio.

(c) Each applicable city shall develop and implement a carpool matching

and promotion system designed to en
courage commuters of each respectiv
city, on a voluntary basis, to utiliz
carpools by facilitating their makin
contact with other commuters havin
similar travel patterns to the same o
neighboring work locations. Th
system shall be fully implemented b
December 1, 1977. As a minimum, th
system shall include the following:

(1) A method of collecting informa
tion which will include the followin
as a minimum:

(i) Provisions on each application fo
the commuter to specify TOD infor
mation and the applicant's desire t
drive only, ride only, or share driving

(ii) Provisions for making applica
tions, with instruction, readily avail
able to all commuting employees i
each city.

(iii) Preparation and distribution t
the major employment facilities i
each city of information describin
how the carpool matching syster
work and providing directions for th
proper preparation of employee appl
cations.

(2) A computerized method that wi
locate each applicant's origin in th
urban area and destination within th
city and match applicants with com
patible TOD information. The result
of the matching process will then b
made available to applicants eithe
through the employer or directl
through the city.

(3) A method for providing contin
ing service so that a current list of a
applicants is available for use by ne
applicants. The system will be period
cally updated (every 6 months as
minimum) to correct TOD informatio
and remove applicants no longer ava
able for carpooling.

(d) A timetable for full implement
tion of the system required in par
graph (c) of this section shall be su
mitted to the Regional Administrat
by September 1, 1977.

(e) Each city shall periodical
submit to the Regional Administrat
a report on the progress of the carpo
matching program which includes t
number of applicants in the syster
the estimated effectiveness of t
system in promoting carpools, chang
in the system since the last repo
number of updates to the system, a

a summary of efforts to promote carpooling and use of the matching system. The first report shall be due on December 1, 1977 and every year thereafter on December 1.

(f) Paragraphs (c) and (d) of this section shall not apply to a city which is presently in compliance by having already implemented an equivalent carpool matching system and which has certified compliance to the Regional Administrator by September 1, 1977. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

[42 FR 37384, July 21, 1977]

§ 52.2297 Employer mass transit and carpool incentive program.

(a) Definitions:

(1) "Employee" means any person who performs work for an employer thirty-five or more hours per week and for more than twenty weeks per year for compensation and who travels to and from work by any mode of travel.

(2) "Student" means any full-time day student who does not live at the educational facility and who travels to and from classes by any mode of travel.

(3) "Commuter" means an employee or a student who travels regularly to and from a facility.

(4) "Employment facility" means any single location of a business nature with 250 or more employees working, at minimum, the same six core hours.

(5) "Educational facility" means any single location of an educational nature of college level or of vocational training above the secondary level with 1,000 or more commuters.

(6) "Facility" means both an employment facility and an educational facility.

(7) "Employer" means any person or entity controlling an employment facility.

(8) "Educational institution" means any person or entity controlling an education facility.

(9) "Carpool" means a private motor vehicle occupied by two or more persons traveling together.

(10) "Single-passenger commuter vehicle" means a private motor vehicle with four or more wheels with capacity for a driver plus one or more passengers which is used by a commuter traveling alone to work or classes, and is not customarily required to be used in the course of his employment or studies.

(11) "Base date" means the date which is used as a reference for determination of compliance with this regulation. The base date for all facilities shall be November 1, 1977, with the exception listed in paragraph (h) of this section.

(12) "Base date period" means the thirty day period immediately preceding the base date; "compliance date period" means the thirty day period immediately preceding the compliance date. In situations where the averaging periods are not appropriate, approval of an alternate period may be requested from the Regional Administrator.

(b) Applicability. This regulation shall be applicable to each facility located in the following counties of the State of Texas:

Collin, Dallas, Denton, Ellis, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties in the Metropolitan Dallas-Fort Worth Intrastate Air Quality Control Region; Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, and Waller Counties in the Metropolitan Houston-Galveston Intrastate Air Quality Control Region; Bexar, Comal, and Guadalupe Counties in the Metropolitan San Antonio Intrastate Air Quality Control Region.

(c) Each affected employer and educational institution shall develop and implement, and continuously maintain, an incentive program for each facility designed to encourage and increase use of mass transit and carpools by employees and students in their regular commuting to and from the facility. The following mandatory measures must be incorporated as a minimum into the incentive program for each facility:

(1) Posting in a conspicuous place or places of the schedules, rates and routes of mass transit service to the facility;

(2) Publicizing any applicable on-street parking restrictions including penalties for violations, which affect

any areas adjacent to the facility being used for parking by commuters to the facility;

(3) Negotiations with authorities in charge of mass transit serving the facility for improved service to the facility;

(4) Incentives for bicycle commuting such as secure locking facilities and removal of restrictive rules against bicycle usage at the facility;

(5) Conducting or participating in a carpooling program (either alone, in cooperation with neighboring facilities, or as part of a city-wide system) which:

(i) Matches on a regularly recurring basis (not less often than once every six months) the names, addresses, and work telephone numbers of all commuters who commute in single-passenger commuter vehicles to a facility or group of neighboring facilities so that such commuters with similar daily travel patterns are informed and aware of each other for the purpose of forming carpools, provided that commuters who state in writing that they do not wish to be matched on grounds of personal privacy may be omitted from the matching process;

(ii) Continuously publicizes the advantages of carpooling, both in terms of savings of fuel and money and any incentives in effect at the facility; and

(iii) Creates incentives for carpool formation by measures such as providing persons who carpool with first call on available parking spaces, spaces which are closest to entrances to the facility, or spaces which provide for most expedient exit at the end of the day.

(6) Publicizing the availability and locations, and encouraging the use, of park-and-ride facilities which could be used by employees and students.

(7) For a facility which has commuters who park on streets within one-half mile of the facility, negotiating with local municipal authorities for the curtailment of available on-street commuter parking.

(8) In the case of an affected employment facility with 1,000 or more employees, the employer shall include in the initial report required in paragraph (d) of this section an evaluation of the feasibility of establishing a vanpool program for the facility. The report shall include: Expected employee participation, any special problems in implementing such a program, progress or plans for implementing such a program, and identification of feasible alternative measures if a vanpool program is not considered feasible. The vanpool program would normally consist of the following elements:

(i) The employer would post in a conspicuous place and regularly notify all employees of a continuously outstanding offer to acquire a van or vans (by purchase, lease, or otherwise), to obtain insurance, and to make available to any group of at least eight employees a van for their use in a vanpool. Such offer would include:

(A) The procedures by which a group could accept the offer, including the designation of a driver.

(B) The conditions upon which the offer would be contingent, including acceptance by the prospective driver of the responsibility for providing regular service, training back-up drivers, and arranging vehicle maintenance, and acceptance by each other member of the prospective group of responsibility for payment of a pro rata share of all direct costs (such as rental charge, licensing costs, insurance, tolls, fuel and repair) and indirect costs (such as depreciation and interest on borrowed funds) of the operation and maintenance of the vehicle;

(ii) The employer would analyze and continuously publicize the advantage of vanpooling, including any resulting cost savings, convenience and any incentives in effect at the facility. Such incentives could include providing persons who vanpool with priority treatment on available parking spaces or spaces which are closest to entrances to or exits from the facility;

(iii) Matching for the vanpool program would be coordinated with the carpool matching program, to facilitate the formation of vanpools.

(d) Each employer and educational institution shall submit to the Regional Administrator, by the initial reporting date specified in paragraph (f) of this section, a report on the program and its effectiveness signed by an authorized official of the facility. The port shall contain as a minimum the llowing information:

(1) A description of the actions ken to comply with paragraphs (1) through (c)(8) of this section d any other existing or planned inntive measures for the facility.

2) The numbers of commuters regully arriving at and leaving the facili- for the base date period and the mpliance date period by each of the lowing modes of transportation:

) Single passenger commuter vehi-

i) Carpools.

(iii) Van-type vehicles with 8 or more commuters.

(iv) Mass transit.

(v) Bicycles.

(vi) All other.

(3) A description of the method for determining the information in paragraph (d)(2) of this section.

(e) [Reserved]

(f) The compliance date for the full implementation of paragraph (c) of this section and initial reporting date for each facility shall be in accord with the type and size of the facility as shown in the following table:

Facility type	Size	Compliance date	Initial reporting date
yment facility			
o	1,000 or more employees	Oct. 1, 1978	Nov. 1, 1978.
o	500 to 999 employees	Nov. 1, 1978	Dec. 1, 1978.
o	250 to 499 employees	Dec. 1, 1978	Jan. 1, 1979.
o	5,000 or more commuters	Oct. 1, 1978	Nov. 1, 1978.
	1,000 to 4,999 commuters	Nov. 1, 1978	Dec. 1, 1978.

Each educational institution or loyer submitting reports required nis section shall retain for at least e years all supporting documents data upon which such report was l.

For a facility established after effective date of this section, the date shall be the date on which ar operations were commenced. compliance date and initial reng date shall be six months and months, respectively, after the on which regular operations comed.

37384, July 21, 1977, as amended at 35224, June 19, 1979]

98 Monitoring transportation mode nds.

The State of Texas or a designatncy approved by the Regional istrator shall monitor the s in vehicle miles traveled and average vehicle speeds as a of the measures required under 294, 52.2296, and 52.2297.

o later than May 31, 1978, the f Texas shall submit to the Adator a detailed program demon- compliance with paragraph his section in accordance with § 51.213 of this chapter. The program description shall include the following:

(1) The agency or agencies responsible for conducting, overseeing and maintaining the monitoring program.

(2) The administrative process to be used.

(3) A description of the methods to be used to collect the emission reduction, VMT reduction, and vehicle speed data including a description of any modeling techniques to be employed.

(c) All data obtained by the monitoring program shall be included in the quarterly report submitted to the Regional Administrator by the State, as required at § 58.35 of this chapter, and in the format prescribed in Appendix M, Part 51 of this chapter. The first quarterly report shall cover the period January 1–March 31, 1979.

[42 FR 37386, July 21, 1977, as amended at 44 FR 27571, May 10, 1979; 51 FR 40677, Nov. 7, 1986]

§§ 52.2299—52.2301 [Reserved]

§ 52.2302 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857(h)(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Beaumont Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Hardin County, Jefferson County, Orange County.

(2) Corpus Christi Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Nueces County, San Patricio County.

(3) Dallas-Fort Worth Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Collin County, Dallas County, Denton County, Ellis County, Hood County, Johnson County, Kaufman County, Parker County, Rockwall County, Tarrant County, Wise County.

(4) Galveston Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter, photochemical oxidants, and sulfur dioxide.

(ii) Geographical composition of area:

Galveston County.

(5) Houston Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Brazoria County, Fort Bend County, Harris County, Liberty County, Montgomery County, Waller County.

(6) San Antonio Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Photochemical oxidants.

(ii) Geographical composition of area:

Bexar County, Comal County, Guadalupe County.

(7) El Paso Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Photochemical oxidants.

(ii) Geographical composition of area:

El Paso County.

[40 FR 18736, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2303 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Texas.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.2304 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of Texas.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Texas.

[50 FR 28553, July 12, 1985, as amended 52 FR 45137, Nov. 24, 1987]

§ 52.2305 Lead control plan: Federal compliance date for requirements of Texas Air Control Board (TACB) Rule 113.53.

(a) The requirements of section 110 of the Clean Air Act are not met regarding the final compliance date, as found in TACB Rule 113.122, for the requirements of rule TACB 113.53.

(b) TACB Rule 113.53 was adopted by the Board on February 17, 1984, and approved by the Administrator as a requirement of the State Implementation Plan on August 13, 1984. The owner or operator of any copper or zinc smelter located in El Paso County, Texas, shall comply with the requirements of TACB Rule 113.53 no later than August 13, 1987.

[51 FR 18443, May 20, 1986]

Subpart TT—Utah

§ 52.2320 Identification of plan.

(a) Title of plan: "Utah Implementation Plan."

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Clarifications of the plan relating to particulate regulations, CO and NO_x control strategies, new source review, emergency episodes, availability of emission data, and source surveillance submitted May 18, 1972, by State Division of Health.

(2) Revision of State new source review regulation, section 1.3.3 of the Utah Code of Air Conservation Regulations, submitted on September 13, 1972, by the Governor.

(3) Transportation control plan submitted April 13, 1973, by the Governor.

(4) Reenacted legislation providing for public availability of emission data submitted on June 13, 1974, by the State Division of Health.

(5) The Revised Utah Air Conservation Regulations on July 10, 1975, by the Governor.

(6) Provisions to meet the requirements of Part D and other sections of the Clean Air Act, as amended in 1977, were submitted on December 28, 1978, by the Governor.

(7) On November 5, 1979, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring, 40 CFR Part 58, Subpart C, § 58.20.

(8) Provisions to meet the transportation control requirements of Part D and other sections of the Clean Air Act, as amended in 1977, were submitted on November 5, 1979, and August 11, 1980, by the Governor.

(9) Provisions to meet the requirements of Part D for particulates and to attain the national standard for lead were submitted on March 11, 1980, July 25, 1980, November 13, 1980, December 26, 1980, and April 8, 1981.

(10) Provisions to meet the requirements of Part C of the Clean Air Act, as amended in 1977, were submitted on August 17, 1981.

(11) Provisions to meet the requirements of section 127 and Part D for carbon monoxide and ozone were submitted on August 11, 1980.

(12) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, for particulates and volatile organic compounds, were submitted on April 8, 1981.

(13) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, for particulates were submitted on March 1, 1982.

(14) A revision to the definition of volatile organic compound was submitted on April 29, 1982.

(15) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, for carbon monoxide in Provo and Ogden, Utah were submitted on September 20, 1982.

(16) Additional information regarding stack monitoring at the main stack at the Kennecott Copper Smelter in Salt Lake City was submitted on December 27, 1982, and February 3, 1984.

(17) Provision to meet the requirements of Part D of the Clean Air Act as amended in 1977 providing for implementing automobile inspection and maintenance in Salt Lake and Davis Counties were submitted on December 9, 1983, December 13, 1983, February 6, 1984, and March 1, 1984. A revision providing for the commitment to adopt regulations for VOC sources covered by future CTG's (Group III) was submitted on February 6, 1984.

(18) A revision to the SIP was submitted by the Governor for attain-

ment of the SO_2 standard on August 17, 1981. Additional submittals January 25, 1983, and September 5, 1984.

(19) A revision to the SIP was submitted by the Governor on April 26, 1985, for visibility monitoring and new source review.

(i) Incorporation by reference.

(A) Letter dated April 26, 1985, from Governor Norman Bangerter submitting the Utah Visibility SIP and Regulations.

(B) The Visibility SIP and the Utah Air Conservaton Regulations 1.1.7 and 3.11.1 were adopted on April 15, 1985 referred to in the Governor's letter as April 12, 1985.

[37 FR 10898, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2320, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2321 Classification of regions.

The Utah plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Wasatch Front Intrastate	I	I	I	I	I
Four Corners Interstate	IA	IA	III	III	III
Utah Intrastate	III	III	III	III	III

[37 FR 10898, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2322 Extensions.

(a) Utah's request for a 2-year extension for attainment of the national standard for carbon monoxide in the Wasatch Front intrastate region cannot be granted since it does not contain adequate information showing why the inspection program cannot be in operation in time to attain the standard by 1975; because the State has not considered and applied reasonably available alternative means of attaining the standard, including measures to reduce vehicle miles traveled, and because a phased implementation of the inspection program consisting of interim steps has not been discussed or proposed.

(b) The Administrator hereby extends for 2 years the attainment date for the primary standards for sulfur oxides in the Wasatch Front Intrastate Region.

(c) The Administrator hereby extends for 18 months the statutory timetable for submission of the plan for the attainment and maintenance of the secondary standards for sulfur oxides in the Wasatch Front Intrastate Region.

(d) The Administrator hereby extends to March 15, 1976, the attainment date for the primary standards for sulfur oxides in the Utah portion of the Four Corners Interstate Region.

(e) The Administrator hereby extends to August 1, 1976, the date for attainment of the national standards for carbon monoxide in the Wasatch Front Intrastate Region.

(f) The Administrator hereby extends for 2 years the attainment date for the primary standards for particulate matter in the Wasatch Front Intrastate Region.

(g) Utah's request for an 18-month extension to submit a plan for attainment of the secondary national standard for particulate matter in all nonattainment areas (Davis, Salt Lake, Utah and Weber Counties) cannot be granted because the State has not demonstrated that control measures in addition to reasonably available control technology are needed to attain the secondary standards.

(h) The Administrator hereby extends to December 31, 1983, the attainment date for the national standards for carbon monoxide in Salt Lake City and Ogden.

(i) The Administrator hereby extends to December 31, 1985, the attainment date for the national standard for ozone in Salt Lake County and Davis County.

(j) The Administrator hereby extends to February 1, 1986, the attainment date for the national standards for carbon monoxide in the City of Provo.

[37 FR 15089, July 27, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2322, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2323 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Utah's plan as meeting the requirements of section 110 of the Clean Air Act as amended in 1977. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below.

[45 FR 10765, Feb. 19, 1980]

§§ 52.2324—52.2330 [Reserved]

§ 52.2331 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Utah's plan, except where noted.

Air quality control region and nonattainment area	* Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Wasatch Front:							
a. Nonattainment Portions	b	b	b	b	a	d	c
b. Remainder of AQCR	a	a	a	a	a	a	a
Four Corners Interstate	a	a	a	a	a	a	a
Utah Intrastate	a	a	a	a	a	a	a

a. Air Quality levels presently below secondary standards.
b. December 31, 1982.
c. December 31, 1985.
d. February 1, 1986.

NOTE 1: Footnotes which are italic are described by the Administrator because the plans do not provide a specific date, or the date provided is not acceptable.

NOTE 2: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.325.

[45 FR 10765, Feb. 19, 1980, as amended at 47 FR 41929, Sept. 22, 1982; 49 FR 28244, July 11, 1984]

§ 52.2332 [Reserved]

§ 52.2333 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since section 26-24-16 of the Utah Code Annotated (1953), may preclude the release of emission data, as correlated with applicable emission limitations, under certain circumstances.

[37 FR 15090, July 27, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.2334—52.2344 [Reserved]

§ 52.2345 Maintenance of national standards.

(a) The requirements of § 51.102 and § 51.110(h) of this chapter are not met since the State did not conduct a public hearing on the identification of areas which have the potential for violation of an air quality standard within 10 years.

(b) The areas listed below are identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encomed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Colorado-Utah Oil Shale Interstate Air Quality Maintenance Area (Utah Portion).

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Daggett County, Duchesne County, Uintah County.

(2) Northcentral Utah Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Davis County, Morgan County, Weber County.

(3) Provo Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Summit County, Utah County, Wasatch County.

(4) Salt Lake City Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Salt Lake County.

(5) Southeastern Utah Coal Resource Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Carbon County, Emery County, Grand County, San Juan County.

(6) Southwestern Utah Coal Resource Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Beaver County, Garfield County, Iron County, Kane County, Washington County.

(7) Wayne County Coal Resource Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Wayne County.

[40 FR 23756, June 2, 1975, as amended at 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.2346 Significant deterioration of air quality.

(a) The Utah plan, as submitted, is approved as meeting the requirements of Part C, Title I, of the Clean Air Act, except that it does not apply to sources proposing to construct on Indian Reservations.

(b) *Regulation for prevention of significant deterioration of air quality.* The provisions of § 52.21 (b) through (v) are hereby incorporated by reference and made a part of the Utah State Implementation Plan and are applicable to proposed major stationary sources or major modifications to be located on Indian Reservations.

[47 FR 6428, Feb. 12, 1982]

§ 52.2347 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into the applicable plan for the State of Utah.

[52 FR 45138, Nov. 24, 1987]

Subpart UU—Vermont

§ 52.2370 Identification of plan.

(a) Title of plan: "State of Vermont Implementation Plan for the Achievement of National Air Quality Standards."

(b) The plan was officially submitted on January 29, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Notice of public hearing submitted on February 3, 1972, by the Vermont Agency of Environmental Conservation.

(2) Miscellaneous non-regulatory revisions to the plan submitted on February 25, 1972, by the Vermont Agency of Environmental Conservation.

(3) Miscellaneous changes to regulations 5-412, 5-466, 5-467, 5-481, 5-486, 5-487, and 5-488 submitted on May 19, 1972, by the Vermont Agency of Environmental Conservation.

(4) Revision to the particulate emission limitation or Fuel Burning Equipment, revision to Rule 6, "Rules of Practice," of the Air Quality Variance Board and miscellaneous non-regulatory revisions submitted on March 3, 1975, by the Vermont Agency of Environmental Conservation.

(5) Revision to Chapter 5, "Incinerator Emissions" submitted on November 30, 1973, by the Vermont Agency of Environmental Conservation.

(6) Revision to Vermont Regulations, Chapter 5, "Air Pollution Control", by letter submitted on July 19, 1976 by the Vermont Agency of Environmental Conservation.

(7) Revision to Regulation 5-231, Prohibition of Particulate Matter, section 1, Industrial Process Emissions, with respect to wood processing operations, submitted by the Vermont Secretary of Environmental Conservation on April 11, 1977.

(8) Revisions to Chapter 5 of the Vermont Air Pollution Control Regulations, submitted by the Secretary of Environmental Conservation on February 21, 1978.

(9) Plans to meet various requirements of the Clean Air Act, including Part C, were submitted on March 21 and November 21, 1979. Included in these revisions is a program for the review of construction and operation of new and modified major stationary sources of pollution in attainment areas.

(10) Attainment plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted on March 21, November 21, November 27 and December 19, 1979. Included are plans to attain: The secondary TSP standard for Barre City and a portion of the Champlain Valley Air Management Area, the carbon monoxide standard in the Champlain Valley Air Management Area and the ozone standard in Chittenden, Addison and Windsor Counties. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions were also included.

(11) A plan to provide for public, local and state involvement in federally funded air pollution control activities was submitted on March 28, 1980.

(12) A plan to attain and maintain the National Ambient Air Quality Standard for lead was submitted on June 24, 1980 by the Secretary of the Vermont Agency of Environmental Conservation. A letter further explaining the state procedures for review of new major sources of lead emissions was submitted on November 7, 1980 by the Director, Air & Solid Waste Programs, Vermont Agency of Environmental Conservation.

(13) A revision to the air quality monitoring network which meets the requirements of 40 CFR Part 58, submitted on March 21, 1979 by the Governor of Vermont.

(14) A revision to regulation 5-221(1), "Sulfur Limitation in Fuel," submitted by the Secretary of the Vermont Agency of Environmental Conservation on November 13, 1979.

(15) Revisions to amend Regulations 5-101 "Definitions", 5-501 "Review of Construction or Modification of New Air Contaminant Sources", 5-502 "Major Stationary Sources", and Section 9 of the non-regulatory portion of the SIP; to delete Regulations 5-253(1) "Storage of Volatile Organic Compounds", 5-253(3), "Bulk Gasoline Terminals", and 5-231(4) "Potentially Hazardous Particulate Matter"; to add Regulation 5-261 "Control of Hazardous Air Contaminants"; and to amend Table 3 of the Regulations "Levels of

Significant Impact for Nonattainment Areas"; submitted by the Secretary of the Vermont Agency of Environmental Conservation on August 24, 1981.

(16) A revision to Regulation 5-231, "Prohibition of Particulate Matter," by the addition of subparagraph (3)(b) submitted by the Secretary of the Vermont Agency of Environmental Conservation for all but three stationary wood-fired combustion sources (excluded from submittal: Moran Generating Station, Burlington Electric Department; Rutland Plywood Company; and Cersosimo Lumber Company) on February 12, 1982.

(17) A revision to approve Regulation 5-231(3)(b) for Cersosimo Lumber Company submitted on March 23, 1983 by the Secretary of the Vermont Agency of Environmental Conservation. (Note: The Cersosimo Lumber Company was excluded from the original approval of Regulation 5-231(3)(b) into the Vermont SIP identified at subparagraph (c)(16) above.)

(18) A revision to approve Vermont Regulation 5-231(3)(b) for Rutland Plywood Corporation, submitted on October 19, 1984 by the Secretary of the Vermont Agency of Environmental Conservation.

NOTE: Rutland Plywood Corporation was excluded from the original approval of Regulation 5-231(3)(b) in the Vermont SIP, identified at paragraph (c)(16) above.

(19) A plan to protect visibility in the Lye Brook Wilderness, a mandatory Class I federal area, from impairment caused by plume blight and to monitor visibility, in fulfillment of the requirements of 40 CFR Part 51, Subpart P. Submitted on April 15, 1986, the plan approves, only as they apply to mandatory Class I federal areas, revisions to Vermont Regulations 5-101 (3), (14), (21), (59), and (76); 5-501(4); and 5-502 (4)(d) and (4)(e).

(i) Incorporation by reference.

(A) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter I. Definitions, 5-101 at subsections (3), (14), (21), (59), and (76), filed in its adopted form on September 2, 1986.

(B) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter V. Review of New Air Contaminant Sources, 5-501 at subsection (4) requiring responsiveness to comments and any analyses submitted by any Federal Land Manager, filed in its adopted form on September 2, 1986.

(C) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter V. Review of New Air Contaminant Sources, 5-502 at subsection (4)(d) requiring a demonstration of no adverse impact on visibility in any Class I federal area; and at subsection (4)(e) which reletters the former subsection (4)(d), filed in its adopted form on September 2, 1986.

(ii) Additional material.

(A) Narrative submittal consisting of two volumes entitled, "Implementation Plan for the Protection of Visibility in the State of Vermont" and "Appendices" describing procedures, notifications, and technical evaluations to fulfill the visibility protection requirements of 40 CFR Part 51, Subpart P.

[37 FR 10898, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2370, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2371 Classification of regions.

The Vermont plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Champlain Valley Interstate	II	II	III	III	I
Vermont Intrastate	II	II	III	III	I

[37 FR 10898, May 31, 1972, as amended at 45 FR 10782, Feb. 19, 1980]

§ 52.2372 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Vermont's plan as identified in § 52.2370 for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

[45 FR 10782, Feb. 19, 1980]

§ 52.2373 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met. Vermont does not have the authority to make emissions data available to the public since 10 V.S.A. section 363 would require the data to be held confidential if a source certified that it related to production or sales figures, unique processes, or would tend to affect adversely the competitive position of the owner.

[37 FR 10899, May 31, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2374 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1–June 30 and July 1–December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[37 FR 10899, May 31, 1972, as amended at 40 FR 55333, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2375 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Vermont's plan.

ntrol region and attainment area[1]	Pollutant						
	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Champlain Valley Interstate—Chittenden County:							
Champlain Valley Air Management Area:							
Essex Town (including Essex Jct.)	a	c	a	a	a	b	b
Burlington City	a	c	a	a	a	b	b
South Burlington City	a	c	a	a	a	b	b
Winooski	a	c	a	a	a	b	b
Remainder of Air Management Area	a	a	a	a	a	b	b
Remainder of County	a	a	a	a	a	a	b
Vermont Valley Air Management Area	a	a	a	a	a	a	a
Addison County	a	a	a	a	a	a	b
Remainder of AQCR	a	a	a	a	a	a	a
Vermont Interstate:							
Central Vermont Air Management Area:							
Barre City	a	c	a	a	a	a	a
Remainder of Air Management Area	a	a	a	a	a	a	a
Windsor County	a	a	a	a	a	a	h
Remainder of AQCR	a	a	a	a	a	a	a

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those regulations by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2375 (1978).

a. Air quality levels presently below secondary standards or area are unclassifiable.
b. 12/31/82.
c. 12/31/87.

[45 FR 10782, Feb. 19, 1980; 46 FR 33525, June 30, 1981]

§ 52.2376 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	State regulation involved	Date of adoption	Effective date	Final compliance date
Georgia Pacific Corp., Whitefield Paper Division.	Gilman, Vermont	5-221	Jan. 5, 1973	Immediately	July 1, 1973.

[38 FR 20836, Aug. 3, 1973, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2377 Review of new sources and modifications.

Regulation 5-501(3) entitled "Default Permits" is disapproved.

[45 FR 10782, Feb. 19, 1980]

§ 52.2378 Certification of no facilities.

On June 6, 1986, the Vermont Agency of Environmental Conservation submitted a letter certifying that there are no facilities within the State's boundaries subject to the Continuous Emissions Monitoring requirements of 40 CFR Part 51, Appendix P. This negative declaration was submitted to EPA in accordance with 40 CFR 51.19(e).

[51 FR 42221, Nov. 24, 1986]

§ 52.2379 Maintenance of national standards.

(a) Based upon the information available to him and in accordance with the EPA publication, Guidelines for Designation of Air Quality Maintenance Areas, the Administrator does not identify any areas pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the national ambient air quality standards within 10 years.

[40 FR 18736, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2380 Significant deterioration of air quality.

The program to review the construction and operation of new and modified major stationary sources in attainment areas is approved as meeting the requirements of Part C, except regulation 5-501(3) entitled "Default permits", and a portion of the SIP revision narrative from the first full paragraph on pages 9-11 through the first four lines of pages 9-12 inclusive, both of which were submitted on March 21, 1979 and which are disapproved.

[45 FR 6784, Jan. 30, 1980]

§ 52.2381 EPA-approved Vermont state regulations.

The following table identifies the state regulations which have been submitted to and adopted by EPA as revisions to the Vermont State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.2370. To the extent that this table conflicts with §§ 52.2370, 52.2370 governs.

TABLE 52.2381—EPA-Approved Regulations

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER Citation	Section 52.2370	Comments and unapproved sections
Chapter 5 Air Pollution Control					
Subchapter I Definitions					
Section 5-101 Definitions	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
	12/16/74	1/21/76	41 FR 3085	(c)(4)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	All of 5-101 (1-42) approved.
	8/12/78	4/16/82	47 FR 16331	(c)(16)	Related to wood-fired boilers.
	3/24/79	1/30/80	45 FR 6781	(c)(9)	Related to PSD.
	11/4/79	2/19/80	45 FR 10775	(c)(10)	All of 5-101 (1-62) approved.
	11/3/81	2/10/82	47 FR 6014	(c)(15)	
	9/17/86	7/17/87	52 FR 26962	(c)(19)	Related to visibility in Class I areas. 5-101(3), (14), (21), (59), and (76) approved.
Subchapter II Prohibitions					
Section 5-201 Open burning prohibited	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-202 Permissible open burning.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-203 Procedures for local authorities to burn natural wood.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-211 Prohibition of visible air contaminants.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	6/12/78	4/16/82	47 FR 16331	(c)(16)	5-211 (1)(2) approved. 5-211 (3) not approved.
Section 5-221 Prohibition of potentially polluting materials in fuel.	12/10/72	5/31/72	37 FR 10899	(b)	
	3/16/75	1/8/82	47 FR 948	(c)(14)	Except 5-221(c) (i) and (ii). Includes Moran Sta. Bubble Approval.
	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-231 Prohibition of particulate matter.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	

TABLE 52.2381—EPA-Approved Regulations—Continued

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER Citation	Section 52.2370	Comments and unapproved sections
	11/19/73	3/22/76	41 FR 11819	(c)(5)	Regarding incinerators.
	12/16/74	1/21/76	41 FR 3085	(c)(4)	Regarding combustion contaminants.
	7/12/76	2/4/77	42 FR 6811	(c)(6)	Regarding incinerators asphalt plants.
	3/14/77	8/2/78	43 FR 33918	(c)(7)	Regarding wood processing plants.
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	8/12/78	4/16/82	47 FR 16331	(c)(16)	Except Cersosimo Lumber, Rutland Plywood, Moran Sta.
	11/13/81	2/10/82	47 FR 6014	(c)(15)	Repealed 5-231 (4).
		8/23/83	48 FR 38235	(c)(17)	Approved for Cersosimo Lumber.
		2/26/85	50 FR 7767	(c)(18)	Approved for Rutland Plywood.
Section 5-241 Prohibition of nuisance and odor.	12/10/72	5/31/72	37 FR 10899	(b)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-251 Control of nitrogen oxides emissions.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	3/25/79	2/19/80	45 FR 10775	(c)(10)	
	11/4/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-252 Control of sulfur dioxide emissions.	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
	11/4/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-261 Control of hazardous air contaminants.	11/3/81	2/10/82	47 FR 6014	(c)(15)	
Subchapter III Ambient Air Quality Stds					
Section 5-301 Scope	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-302 Sulfur dioxide primary	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-303 Sulfur dioxide (secondary).	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-304 TSP (primary)	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-305 TSP (secondary)	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-306 Carbon monoxide primary/secondary.	12/10/72	5/31/72	37 FR 10899	(b)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-307 Ozone primary/secondary.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/16/74	1/21/76	41 FR 3085	(c)(4)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-308 Lead (primary/secondary).	11/3/81	2/10/82	47 FR 6014	(c)(15)	
Subchapter IV Operations/Procedures					
Section 5-401 Classification of air contaminant sources.	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-402 Written reports when requested.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	5-402(1) only.
Section 5-403 Circumvention	12/10/72	5/31/72	37 FR 10899	(b)	
Section 5-404 Methods for sampling and testing of sources.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	

TABLE 52.2381—EPA-Approved Regulations—Continued

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER Citation	Section 52.2370	Comments and unapproved sections
Section 5-405 Required air monitoring	3/24/78	2/19/80	45 FR 10775	(c)(10)	
	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	1/30/80	45 FR 6781	(c)(9)	For PSD Plan.
Section 5-406 Required air modeling	3/24/79	2/19/80	45 FR 10775	(c)(10)	For NSR Plan.
	3/24/79	1/30/80	45 FR 6781	(c)(9)	For PSD Plan.
	3/24/79	2/19/80	45 FR 10775	(c)(10)	For NSR Plan.
Subchapter V Review of New Air Contaminant Sources					
Section 5-501 Review of construction or modification of air contaminant sources.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	3/24/79	1/30/80	45 FR 6781	(c)(9)	Except 5-501(3).
	11/04/79	2/19/80	45 FR 10775	(c)(10)	Except 5-501(3).
	11/03/81	2/10/82	47 FR 6014	(c)(15)	
	9/17/86	7/17/87	52 FR 26982	(c)(19)	Related to visibility in Class I areas. 5-501(4) approved.
Section 5-502 Major stationary sources and major modifications.	3/24/79	1/30/80	45 FR 6781	(c)(9)	Except 5-502(5).
	11/04/79	2/19/80	45 FR 10775	(c)(10)	Except 5-502(5).
	11/03/81	2/10/82	47 FR 6014	(c)(15)	
	9/17/86	7/17/87	52 FR 26982	(c)(19)	Related to visibility in Class I areas. 5-502 (4)(d) and (4)(e) approved.
Subchapter VII Motor vehicle emissions					
Section 5-701 Removal of control devices.	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-702 Excessive smoke emissions from motor vehicles.	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
Section 5-801 Effective date	3/24/79	1/30/80	45 FR 6781	(c)(9)	
Table 1—Process weight standards	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Figure 1—Fuel-burning equipment	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Table 2—PSD increments	3/24/79	1/30/80	45 FR 6781	(c)(9)	
Table 3—Levels of significant impact for nonattainment areas.	3/24/79	2/19/80	45 FR 10775	(c)(10)	
	11/4/79	2/19/80	45 FR 10775	(c)(10)	
	11/3/81	2/10/82	47 FR 6014	(c)(15)	

[49 FR 46142, Nov. 23, 1984, as amended at 50 FR 7768, Feb. 26, 1985; 50 FR 23810, June 6, 1985; 52 FR 26982, July 17, 1987]

§ 52.2382 Rules and regulations.

(a) *Non-Part D—No Action.* EPA is neither approving or disapproving the following elements of the revisions:

(1) Permit fees.

(2) Intergovernmental consultation.

(3) Stack height requirements.

(4) Interstate pollution notification requirements.

(5) Conflict of interest requirements.

(b) *Regulation for visibility monitoring and new source review.* The provisions of § 52.26 and 52.27 are hereby incorporated and made a part of the applicable plan for the State of Vermont.

[45 FR 10782, Feb. 19, 1980, as amended at 45 FR 59315, Sept. 9, 1980; 46 FR 66789, Oct. 8, 1980; 46 FR 16897, Mar. 16, 1981; 50 FR 28553, July 12, 1985]

§ 52.2383 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26 and § 52.27 are hereby incorporated and made part of the applicable plan for the State of Vermont.

[51 FR 5505, Feb. 13, 1986]

§ 52.2384 Stack height review.

The State of Vermont has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion techniques as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on March 21, 1986. The State has further declared in a letter from Harold T. Garabedian, dated March 21, 1986, that, "[T]he State concludes that our present rule 5-502(4)(d) is adequate to insure that new emission sources will not be able to use credits from modeling ambient impacts at greater than 'good engineering practice' stack height or from using 'other dispersion techniques.'" Thus, Vermont has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

Subpart VV—Virginia

§ 52.2420 Identification of plan.

(a) Title of Plan: "Implementation Plan of Virginia."

(b) The plan was officially submitted on January 30, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Miscellaneous non-regulatory additions and errata to the plan submitted on May 4, 1972, by the Virginia Air Pollution Control Board.

(2) Revisions to control strategy for particulate matter, section IV, Rules 3 and 7 of the Virginia Air Pollution Control Regulations, and public availability of emission data regulation submitted June 30, 1972, by the Governor.

(3) Revisions to nitrogen dioxide control strategy regulations section 705.05 of the Virginia Air Pollution Control Regulations, submitted July 26, 1972, by the Governor.

(4) Miscellaneous non-regulatory additions to the plan submitted on February 14, 1973, by the Governor.

(5) Transportation control plan for National Capital AQCR submitted April 11, 1973, by the Governor.

(6) Amendments to the National Capital AQCR Transportation Control Plan submitted on May 30, 1973, by the Governor.

(7) Amendments to the National Capital AQCR Transportation Control Plan submitted on July 11, 1973, by the Governor.

(8) Amendments to the National Capital AQCR Transportation Control Plan submitted on July 9, 1973, by the Governor.

(9) Miscellaneous non-regulatory additions to the plan submitted on August 10, 1973, by the Governor.

(10) Revision to plan setting forth control strategy for particulate matter in the State Capital AQCR submitted August 20, 1973, by the Governor.

(11) Indirect Source Review plan was submitted December 6, 1973, by the State Air Pollution Control Board.

(12) Revisions to air quality standards for sulfur oxides section 3.703 of the Commonwealth of Virginia's Regulations for the Control and Abatement of Air Pollution, submitted February 12, 1974, by the Virginia Air Pollution Control Board.

(13) AQMA designations were submitted on May 7, 1974 by the Governor of the State of Virginia.

(14) Revision deleting preface to the State air pollution control regulations submitted May 24, 1974 by the Virginia Air Pollution Control Board.

(15) An amendment to Section 2.05(a) (Variances) former Section 2.01(f) of the Commonwealth of Virginia Regulations for the Control and Abatement to Air Pollution submitted on August 14, 1975 by the Commonwealth Secretary of Commerce and Resources.

(16) A variance to allow the operation of the Alexandria City Incinerator in excess of the federally approved particulate emission limitations for incinerators until December 31, 1979, by

the Commonwealth Secretary of Commerce and Resources.

(17) Amendment to section 7.02 (Episode Determination) [former sections 6.01(b), 6.701(b)] of the Commonwealth of Virginia for the Control and Abatement of Air Pollution submitted on January 29, 1976, by the Secretary of Commerce and Resources.

(18) Amendment to sections 7.01 (General) [former section 6.700] and 7.02 (Episode Determination) [former section 6.701(b)] of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution submitted on March 11, 1977, by the Secretary of Commerce and Resources.

(19) Amendments to Part I, Subpart 1.01 (Certain Terms Defined) and to Part IV, Section 4.52 (former Section 4.705.13) of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution submitted on April 16, 1974, by the Commonwealth Secretary for Commerce and Resources.

(20) Amendments to Part I (Definitions), Sections 1.01 and 1.02; amendments to Part II (General), Sections 2.01, 2.03, 2.04, 2.07, 2.08, 2.10, 2.12, 2.30, and 2.31; amendments to Part III (Ambient Air Quality Standards), Sections 3.01, 3.03 [sections 3.03(b)(1) and 3.03(b)(2) are deleted] 3.04, 3.05, 3.06, 3.07 and deletion of Section 3.08; amendments to Part IV (Existing Sources), Sections 4.01, 4.20, 4.40, 4.41, 4.51(b) through 4.51(g), 4.70, 4.71, 4.80–4.86, 4.90–4.92, and 4.100–4.102 and deletion of Section 4.07.02; amendments to Part VII (Air Pollution Episode), Sections 7.01, 7.02, and 7.05; and amendments to Appendices A, B, C (former Appendix A), D, E [former Section 4.08.04], G, H, and I submitted on August 14, 1975 by the Secretary of Commerce and Resources.

(21) Deletion of former Section 4.703.04 (Bacharach Standard) submitted on June 16, 1976 by the Secretary of Commerce and Resources.

(22) Amendments to Part I (Definitions), Section 1.01, submitted on October 20, 1976 by the Secretary of Commerce and Resources.

(23) Amendment to Section 10-17.21 of the Virginia Air Pollution Control Law submitted August 1975 by the Commonwealth.

(24) Amendment to subsection 4.52(e) (former section 4.705.03) of the Virginia regulations for the control and abatement of air pollution; submitted on April 16, 1974, as amended June 16, 1976, by the secretary of commerce and resources.

(25) A variance issued to the Spruance, Virginia plant of E.I. DuPont de Nemours and Company exempting one of their boilers from Rule EX-3 until December 31, 1980, submitted on December 13, 1978 by the Secretary of Commerce and Resources.

(26) On November 28, 1977 the State submitted an amendment to the Virginia SIP consisting of a permit extension and an emission offset for the Hampton Roads Energy Company's proposed refinery and terminal in Portsmouth, Virginia. This submittal was supplemented by the Commonwealth on March 17, 1978, May 26, 1978, August 9, 1978, and October 5, 1979. The March 17th submittal included a letter dated March 6, 1978 from the Commission of the Virginia Department of Highways and Transportation committing to a reduction of nonmethane hydrocarbon emissions through the substitution of emulsion-based asphalt for solvent-based asphalt thus providing the needed emission offset. This letter is an addendum to the Virginia SIP. The State-issued permit to HREC, as amended, is also made part of the Virginia SIP.

(27) On January 11, 1979, the Governor submitted the nonattainment area plans for Virginia with respect to ozone and carbon monoxide.

(28) The following portions of Virginia's September 6, September 21, and December 17, 1979, submittals are approved:

(i) September 6, 1979, submittal: Section 2.33(g)(1)(vi) of the regulation.

(ii) September 21, 1979, submittal, the following Sections of Virginia's regulations: Sections 4.57(b)(2)(ii); 4.55(f)(4)(i); 4.56(e); 4.52(a); 2.03(a)(1); 2.33(f)(3); Part I of the regulations, the definitions of "Delayed Compliance Order" and "Nonattainment Area;" Sections 4.02(f)(1) through 4.02(f)(5); Appendix N; and those portions of Sections 4.54, 4.55 and 4.56

where the phrase "will be considered acceptable compliance by the Board" has been modified.

(iii) December 17, 1979, submittal: Chapter 3, Control Strategy Demonstration, design value for Northern Virginia.

(29) The following portions of Virginia's August 14, 1975, August 31, 1977, and January 11, 1979, submittals as they relate to Section 2.33 are approved:

(i) August 14, 1975, submittal: Section 2.33 (b) and (i).

(ii) August 31, 1977, submittal: Section 2.33(h).

(iii) January 11, 1979, submittal: Section 2.33 (a), (c), (d), (e), (f), (g) and (k).

(30) Amendments of Part I (Definitions), section 1.02; Part II (General Provisions). Sections 2.02 (a), (c), and (e) (former section 2.11 (a), (b), and (d)), section 2.05(b), section 2.11; and Part IV (Regulations for Existing sources), sections 4.10, 4.11, and 4.13 deletion of the following regulations from Part IV: Former sections 4.03.02, 4.05.03, 4.05.04, 4.05.05(b), 4.10.03, 4.705.04, and 4.705.05 submitted on August 14, 1975 by the Secretary of Commerce and Resources.

(31) Amendments on Part I (Definitions), section 1.02; Part III (Ambient Air Quality Standards), section 3.02(c); Part IV (Special Provisions), section 4.02(a), (a)(1), (a)(2), (b), (c), and (d) (Formerly section 2.04) and section 4.03; and Part VII (Air Pollution Episode), sections 7.04 (a), (b), (d), and (e) submitted on October 20, 1976 by the Secretary of Commerce and Resources.

(32) Amendments of Part II, (General Provisions), section 2.02(b) submitted on March 11, 1977, by the Secretary of Commerce and Resources.

(33) Amendments on Part II, (General Provisions), section 2.02(d) submitted on September 20, 1978, by the Secretary of Commerce and Resources.

(34) Amendments to Part II (General Provisions), section 2.06 (b) and (c); and Part VII (Air Pollution Episode), section 7.03(d); and deletion of Part IV (Existing Sources), Rule EX-7, section 4.07.05 submitted on August 14, 1975, by the Secretary of Commerce and Resources.

(35) Amendments to Part I (Definitions), section 1.02; Part II (General Provisions), section 2.06 (a) and (d); Part III (Ambient Air Quality Standards), section 3.02 (a) and (b); Part IV (Existing Sources), sections 4.20, 4.21, 4.23 (formerly sections 4.41), 4.25, 4.26, 4.27, and 4.51(a); Part VII (Air Pollution Episode), former section 4.51 (b) through (g) are changed to section 4.51 (c) through (h). Sections 7.01(b) and 7.02 (a), (b), and (d); and Appendix A; and, deletion of former sections 4.20, 4.21, and 4.22 submitted on September 20, 1978 by the Secretary of Commerce and Resources.

(36) Amendments to Part VII (Air Pollution Episode), sections 7.03 (c) and (e) and 7.04(c); and deletion of Part II (General Provisions), section 2.04(a)(2) as submitted on March 11, 1977 by the Secretary of Commerce and Resources.

(37) Amendments to Part I (Definitions), section 1.02; Part IV (Existing Sources), Rule EX-2, section 4.22; and Part VII (Air Pollution Episode), section 7.03 (a) and (b) as submitted on September 21, 1979 by the Secretary of Commerce and Resources.

(38) A revision submitted by the Commonwealth of Virginia on March 24, 1980 which is intended to establish an Ambient Air Quality Monitoring Network.

(39) Amendments to Part I (Definitions), section 1.02; and Part IV (Emission Standards for Particulate Emissions from Fuel Burning Equipment, Rule EX-3), sections 4.30, 4.31 (except section 4.31(d)(3)) and 4.32 submitted on September 21, 1979.

(40) A revision submitted by the Commonwealth of Virginia on January 9, 1979 consisting of an amendment to the Virginia Regulations for the Control and Abatement of Air Pollution, Part IV, Rule EX-2, Emission Standards for Visible Emissions.

(41) A revision submitted by the Commonwealth of Virginia on August 13, 1979 consisting of a variance from Part IV, Rule EX-10, Sections 4.100(a)(1), (2) and (3) for preparing cars for overseas shipment at the Exchange Service Station on the Naval Base in Norfolk, Virginia.

(42) A variance issued to the Union Camp Corporation Particleboard Plant located at Franklin, Virginia exempting dryers 1FSD, 2FSD, and pre-dryer 3FSD from Part IV, Rule EX-4, Section 4.41(l) until December 15, 1981, submitted on July 28, 1980 and amended on April 16, 1981 by the Virginia Secretary of Commerce and Resources.

(43) The variance issued to the Norfolk Naval Shipyard located at Portsmouth, Virginia exempting the salvage fuel-fired boilers and the power plant boilers from Sections 4.22 and 4.31(a)(1) until July 31, 1982, submitted on August 29, 1980 and amended on May 5, 1981 by the Secretary of Commerce and Resources.

(44) A revision submitted by the Commonwealth of Virginia on June 19, 1980 consists of a 1979 Amendment to the provisions of Section 10-17.12 (Qualifications of members of Board) of the Virginia Air Pollution Control Law.

(45) A revision submitted by the Commonwealth of Virginia on August 19, 1980 consisting of amendments to Section 1.02, 4.10, 4.11, 4.12, 4.13, and 4.102; and Appendix C of the Virginia Air Pollution Control Board Regulations.

(46) The variance issued to the Municipal Incinerator on Oyster Point Road located at Newport News, Virginia exempting the incinerator from Section 4.71 until July 1, 1982, submitted on May 1, 1981 by the Secretary of Commerce and Resources.

(47) Amendments to Chapter 1 of all nonattainment plans; amendments to Chapter 11 of the Richmond, Northern Virginia, Peninsula and Southeastern plans; amendments to Chapter 9 of the Roanoke and Stafford plans; addition of Appendices A and B to all plans; amendments to Chapter 3 of the Northern Virginia, Peninsula, Southeastern, Roanoke and Stafford plans; amendments to Chapter 10 of the Richmond, Peninsula and Southeastern plans; addition of Appendix C to the Northern Virginia Plan; and, certain revisions to Chapter 5 of all plans were submitted by the Secretary of Commerce and Resources on April 13, 1931. Revision of Chapter 10 of the Northern Virginia plan submitted on July 23, 1981.

(48) The revisions submitted on December 17, 1979 by the Secretary of Commerce and Resources related to the ozone and carbon monoxide nonattainment area plans, except section 1.02, "Vapor Tight", sections 4.54(h), 4.56(h), 4.55(m)(2), and 4.57(a)(5), Chapter 3 of the Roanoke plan, Chapter 6 of the Peninsula, Richmond, and Southeastern Virginia plans, and Appendix P.

(49) The May 15, 1980 revision, as amended by the April 3, 1981 revision, submitted by the Secretary of Commerce and Resources pertaining to Chapter 9 of the Richmond and Northern Virginia nonattainment plans. This submittal includes the State Statute authorizing an Inspection and Maintenance program and a schedule for the implementation of this program.

(50) Amendments to Part II (General Provisions), Sections 2.33(a)(5) and 2.34(i) submitted on February 19, 1981, by the Secretary of Commerce and Resources.

(51) Revisions to section 1.02 (Terms Defined) of Part I (Definitions) and Section 4.51(c)(2) of Part IV (Rule EX-5, Emission Standards for Gaseous Pollutants) were submitted by the Secretary of Commerce and Resources, Commonwealth of Virginia, on September 28, 1978.

(52) A revision submitted by the Commonwealth of Virginia on October 20, 1976 consisting of amendments to sections 2.34(a), 2.34(b), and 2.34(h) of the Virginia Air Pollution Control Board Regulations.

(53) A revision submitted by the Commonwealth of Virginia on September 20, 1978 consisting of amendments to Part I, Definitions, modification of "Combustion Installation"; and sections 4.02(a)(2), 4.02(e), and 4.21 of the Virginia Air Pollution Control Board Regulations.

(54) A revision submitted by the Commonwealth of Virginia on September 6, 1979 consisting of amendments to Part I, Definitions; sections 2.33(a), 2.33(c), 2.33(d), 2.33(e), 2.33(h), 2.33(k), 2.33(m), 3.05(a), 3.05(b), 3.05(c), 4.02(g) (2), (3), (4), (5), and (6), 4.23, 4.40, 4.41, 4.90, 4.91, 4.92(b),

4.93(b), 7.01(b), 7.02(a), 7.02(b), 7.02(d); and, Appendix C of the Virginia Air Pollution Control Board Regulations.

(55) A revision submitted by the Commonwealth of Virginia on September 21, 1979 consisting of amendments to Part I, Definitions; sections 2.03(c), 2.03(e), 2.09(d), 2.09(f), 2.34(c), 2.34(d), 2.34(e), 2.34(f), 2.34(g), 4.02(f) (7) through (10), 4.54(a), 4.54(b), 4.54(c), 4.54(e), 4.54(f), 4.54(g), 4.55(a), 4.56(a), 4.56(c), 4.56(d), 4.56(f), 4.56(g), 4.57(a), 4.57(b); and Appendix M of the Virginia Air Pollution Control Board Regulations.

(56) The variance issued to the Southside Mental Health and Mental Retardation Support Unit located in Petersburg, Virginia exempting the facility from Sections 4.22 and 4.31(a)(1)(ii) until June 30, 1982. It was submitted on May 28, 1981 and amended on August 5, 1981.

(57) A revision submitted by the Commonwealth of Virginia on October 20, 1976 consisting of the addition of Sections 1.02, (Definition of Continuous Emission Monitoring); 4.04 (a) through (f); 4.05 (a) through (e); and Appendix J, except for Part II, Sections a.2. and d.2.

(58) A revision submitted by the Commonwealth of Virginia on September 20, 1978 consisting of amendments to Sections 4.04 (a)(1) and (b); 4.04(e); Appendix J; and, the addition of Sections 4.24 (a), (b) and (c).

(59) Amendments to sections 1.02, 4.56(f)(3), and Appendix M as submitted on April 13, 1981 by the Secretary of Commerce and Resources.

(60) Revisions submitted on February 16, 1981, except the compliance schedules contained in Chapter 7, by the Secretary of Commerce and Resources related to the ozone and carbon monoxide nonattainment plan for the Richmond area.

(61) Amendments to Part III, Ambient Air Quality Standards, Section 3.08, Lead, submitted on December 30, 1980 by the Secretary of Commerce and Resources.

(62) A variance issued to the U.S. Marine Corps Quantico Base Central Heating Plant located in Prince William County, Virginia, exempting their boilers from Rules EX-2 and EX-3 until October 31, 1984, submitted on November 5, 1980, revised on December 16, 1981 and further revised December 1, 1983 by the Commonwealth of Virginia.

(63) [Reserved]

(64) Amendments to Part V, sections 5.01, 5.13, and 5.17 as submitted on August 14, 1975 by the Secretary of Commerce and Resources.

(65) Amendments to Part V, sections 5.02 (b) through (d), 5.03, 5.04 (b) through (d) and (f), and 5.05 as submitted on October 20, 1976 by the Secretary of Commerce and Resources.

(66) Amendments to Part V, sections 5.02 (a) and (e), 5.04 (a) and (e), 5.10, 5.14, 5.15, and 5.16 as submitted September 20, 1978 by the Secretary of Commerce and Resources.

(67) Amendments to Part V, sections 5.40 and 5.45 as submitted on September 6, 1979 by the Secretary of Commerce and Resources.

(68) Amendment to Part V, section 5.12 as submitted on September 21, 1979 by the Secretary of Commerce and Resources.

(69) Amendments to Part I, section 1.02, Part II, sections 2.31, 2.33 (a) through (e), (g), (k), and (m), Part IV, Rule Ex-4, section 4.41(b)(4), Part V, Rule NS-4, sections 5.42, 5.43, and 5.44, Part VIII, section 8.02 and Appendix L as submitted August 18, 1981 by the Secretary of Commerce and Resources.

(70) Revisions submitted on July 13, 1981 and August 10, 1981, pertaining to the Inspection and Maintenance Program in the Northern Virginia AQCR, by the Secretary of Commerce and Resources.

(71) Amendments to Part IV, Emission Standards for Open Burning (RULE EX-1), Section 4.11 to the Virginia Regulations for the Control and Abatement of Air Pollution, submitted on May 26, 1982 by the Commonwealth of Virginia.

(72) An alternate control program for J. W. Fergusson Co.'s Castlewoo Road Printing Plant in Richmond, VA submitted to EPA on August 19, 1982

(73) A revision submitted by th Commonwealth of Virginia on December 17, 1979 consisting of revisions t Chapter 3 of the Roanoke Plan and revised Appendix P.

(74) Amendments to sections 1.02; 2.04(a); 2.14; 2.32(c); 2.33(j); 2.34(g); 4.02 (f) and (g); 4.54; 4.55; 4.56; 4.57; 4.94; 5.02(f); 8.02(o); and Appendix J, Part II, sections a.2. and d.2; submitted on December 27, 1982 by the Commonwealth of Virginia.

(75) Amendments to sections 4.56, 5.02(a), and 5.15; submitted on January 5, 1983 by the Commonwealth of Virginia.

(76) Amendments to section 4.51(b) of the Virginia Air Pollution Control Board Regulations submitted on September 20, 1978 by the Commonwealth of Virginia.

(77) An alternative compliance schedule for the Richmond plant of the James River Paper Company, submitted to EPA on January 25, 1983.

(78) The Washington Metropolitan Air Quality Plan for the Northern Virginia Nonattainment Area for Ozone and Carbon Monoxide Air Quality Standards submitted by the Virginia State Air Pollution Control Board on January 12, 1983.

(79) Amendments to Appendix I of the Virginia Regulations for the Control and Abatement of Air Pollution consisting of confirmation of local government commitments by Fairfax County and Loudoun County to implement the Northern Virginia nonattainment plan; submitted on December 3, 1982 by the Virginia State Air Pollution Control Board.

(80) [Reserved]

(81) Amendments to sections 1.02, 2.33, 4.02, and 5.02 of the Virginia Regulations for the Control and Abatement of Air Pollution submitted on January 24, 1983 by the Virginia State Air Pollution Control Board.

(82) Amendment for an alternate compliance schedule for the Ford Motor Company plant in Norfolk, Virginia submitted on December 30, 1982 by the Virginia State Air Pollution Control Board.

(83) Approval of an alternative emissions reduction plan for total suspended particulates at the Reynolds Aluminum Company's Bellwood reclamation facility located in Chesterfield County, Virginia submitted on April 1, 1983 by the Commonwealth of Virginia.

(84) A variance issued to the City of Portsmouth, exempting their Municipal Incinerator from Rule EX-7, section 4.71 for particulate emissions until February 15, 1985, submitted on May 6, 1983 by the Commonwealth of Virginia.

(85) Amendments to the Department of State Police Administrative and Procedural Regulations for the Motor Vehicle Inspection and Maintenance (I/M) Program submitted on December 29, 1982 by the Virginia State Air Pollution Control Board.

(86) Amendments to section 4.103 of the Virginia Regulations for the Control and Abatement of Air Pollution submitted on June 5, 1984 by the Virginia State Air Pollution Control Board.

(87) A revision to the Virginia State Implementation Plan was submitted on December 17, 1984 by the Virginia State Air Pollution Control Board.

(i) Incorporation by reference.

(A) A letter dated November 29, 1984 from the Virginia State Air Pollution Control Board to the Ford Motor Company containing a compliance schedule for installing the electrophoretic deposition process (EDP) for prime coating operations at the Norfolk assembly plant, adopted on November 26, 1984.

(ii) Additional material.

(A) Technical Support Document dated November 26, 1985, prepared by the Virginia State Air Pollution Control Board.

(88) The repeal of § 52.2420(c)(26) pertaining to a permit and emission offset for the Hampton Roads Energy Company's proposed refinery and terminal in Portsmouth, Virgina.

[37 FR 10899, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2420, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2421 Classification of regions.

The Virginia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Eastern Tennessee-Southwestern Virginia Interstate	I	I	III	III	III
Valley of Virginia Intrastate	I	III	III	III	III
Central Virginia Intrastate	I	III	III	III	III
Northeastern Virginia Intrastate	IA	III	III	III	III
State Capital Intrastate	I	III	III	III	I
Hampton Roads Intrastate	I	II	III	III	I
National Capital Interstate	I	I	III	I	I

[37 FR 15090, July 27, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2422 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Virginia's plan for attainment and maintenance of the secondary standards for particulate matter in the State Capital Intrastate Region.

(b) The Administrator hereby extends for two years the attainment dates for the national standards for carbon monoxide and photochemical oxidants in the Virginia portion of the National Capital Interstate Region.

(c) The Administrator hereby extends to December 31, 1987 the attainment date for ozone in the Virginia portion of the National Capital Interstate AQCR and in the Richmond City, Chesterfield County and Henrico County portions of the State Capital Intrastate AQCR.

[37 FR 10898, May 31, 1972, as amended at 38 FR 33723, Dec. 6, 1973; 45 FR 55195, Aug. 19, 1980]

§ 52.2423 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Virginia's plan for the attainment and maintenance of the national standards. The State included a provision dealing with open burning in its submittal of August 10, 1973. This provision was included for information purposes only and was not to be considered a part of the plan to implement national standards. Accordingly, this additional provision is not considered a part of the applicable plan.

(b) With respect to the transportation control strategies submitted on April 11, May 30, July 9, and July 11, 1973, the Administrator approves the measures for the National Capital region for carpool locator, express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, elimination of free parking by private employers, parking surcharge, inspection of vehicles, dry cleaning solvent use, and gasoline vapor recovery, with the exceptions set forth in §§ 52.2424, 52.2427, 52.2430, 52.2431, 52.2435, and 52.2436. Rectifying provisions are promulgated in this subpart.

(c) With the exceptions set forth in this subpart, the Administrator approves Virginia's plan for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below in § 52.2431. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal by each subsequent January following January 1980, of additional RACT requirements for sources covered by CTGs issued by the previous January.

(d) The portion of the January 11, 1979 SIP submittal pertaining t Smyth County is not approved, pending a possible redesignation of th area to attainment status.

(e) The requirements of § 51.22 ar not met with respect to section 4.55(of the Virginia regulations, becau the regulation is not adequately e forceable. Therefore, section 4.55(b) disapproved.

(f) Section 4.02(a)(3) of Part IV of the Virginia Regulations for the Control and Abatement of Air Pollution is not considered part of the Applicable plan because it contradicts a previously approved section of the SIP.

(g) Section 4.31(d)(3) of Part IV of the Virginia Regulations for the Control and Abatement of Air Pollution is not considered part of the applicable plan because the substitute criteria, listed in section 4.31(d)(3), contain inherent variations in quality control which do not present an accurate representation of collection efficiency.

[38 FR 33724, Dec. 6, 1973, as amended at 39 FR 41254, Nov. 26, 1974; 45 FR 85749, Dec. 30, 1980; 46 FR 22583, Apr. 20, 1981]

§ 52.2424 General requirements.

(a) The requirements of § 51.110 (b) and (d) of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) as expeditiously as practicable, as evidenced by the State's failure to propose sufficient interim control measures to be implemented during the 2-year period for which an extension to attain the national standards was requested.

[38 FR 16568, June 22, 1973, as amended at 43 FR 38703, Aug. 30, 1978; 51 FR 40676, Nov. 7, 1986]

§§ 52.2425—52.2426 [Reserved]

§ 52.2427 Source surveillance.

(a)–(b) [Reserved]

(c) The requirements of § 51.213 of this chapter are not met because the plan does not provide procedures for determining actual emission reductions achieved as a result of implementing the proposed transportation control measures. Rectifying provisions are promulgated in this section.

(d) *Monitoring transportation sources.* (1) This section is applicable to the Commonwealth of Virginia.

(2) In order to assure the effectiveness of the inspection and maintenance program approved in § 52.2423 and required by § 52.2441, and the retrofit devices required under §§ 52.2444, 52.2445, 52.2446, and 52.2447 the Commonwealth shall monitor the actual per-vehicle emissions reductions occurring as a result of such measures. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the Commonwealth of Virginia in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period January 1 to March 31, 1976.

(3) In order to assure the effective implementation of the car pool locator, express bus lanes, increased bus fleet and service, elimination of free on-street commuter parking, elimination of free employee parking, and the parking surcharge approved in § 52.2423, the Commonwealth shall monitor vehicle miles traveled and average vehicle speeds for each area in which such sections are in effect and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the Commonwealth of Virginia in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period from July 1 to September 30, 1974. The vehicle miles traveled and vehicle speed data shall be collected on a monthly basis and submitted in a format similar to Table 1.

TABLE 1

Time period ....

Affected area ....

Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2)[1]
Freeway		
Arterial		
Collector		
Local		

[1] Continue with other vehicle types as appropriate.

(4) No later than March 1, 1974, the Commonwealth shall submit to the Administrator a compliance schedule to implement this section. The program description shall include the following:

(i) The agency or agencies responsible for conducting, overseeing, and maintaining the monitoring program.

(ii) The administrative procedures to be used.

(iii) A description of the methods to be used to collect the emission data, VMT data, and vehicle speed data; a description of the geographical area to which the data apply; identification of the location at which the data will be collected; and the time periods during which the data will be collected.

[37 FR 10898, May 31, 1972, as amended at 37 FR 15091, July 27, 1972; 38 FR 16568, June 22, 1973; 38 FR 33724, Dec. 6, 1973; 44 FR 27571, May 10, 1979; 51 FR 40677, Nov. 7, 1986]

§ 52.2428 Request for 2-year extensions.

(a) Virginia's request under § 51.340 of this chapter for carbon monoxide in the State Capital and Hampton Roads Intrastate Regions are not applicable since the national standards are presently being attained.

(b) Virginia's requests under § 51.340 of this chapter for photochemical oxidants in the State Capital and Hampton Roads Intrastate Regions are not applicable since the plan demonstrates that the national standards will be attained by January 1975.

[37 FR 10898, May 31, 1972, as amended at 41 FR 35676, Aug. 24, 1976; 51 FR 40677, Nov. 7, 1986]

§ 52.2429 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Virginia's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Eastern Tennessee-Southwestern Virginia Interstate	a	a	b	b	e	e	e
Valley of Virginia Intrastate:							
a. Roanoke County, Roanoke City and Salem City	a	a	e	e	e	e	[1]f
b. Remainder of AQCR	a	a	e	e	e	e	e
Central Virginia Intrastate	a	a	e	e	e	e	e
Northeastern Virginia Intrastate:							
a. Stafford County	a	a	e	e	e	e	[1]f
b. Remainder of AQCR	a	a	e	e	e	e	e
State Capital Intrastate:							
a. Richmond City, Henrico County, and Chesterfield County	a	c	e	e	e	e	[1]g
b. Remainder of AQCR	a	c	e	e	e	e	e
Hampton Roads Intrastate:							
a. Cities of Chesapeake, Norfolk, Portsmouth, Suffolk, Virginia Beach, Newport News, and Hampton	a	a	d	b	e	e	[1]f
b. Remainder of AQCR	a	a	d	b	e	e	e
National Capital Interstate:							
a. Alexandria, Arlington City, and areas of high traffic density in Fairfax County	a	a	b	b	e	[1]f	[1]g
b. Remainder of AQCR	a	a	b	b	d	d	[1]g

NOTE: Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was unacceptable.

a. June 1975.
b. June 1972.
c. July 1975.
d. Air quality levels presently below primary standards.
e. Air quality levels presently below secondary standards.
f. December 31, 1982.
g. December 31, 1987.

Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are provided as numeric footnotes in this chart (40 CFR 52.2429, 1978).

[1] Air quality levels previously below secondary standard.
[2] The previous attainment date was January 1975.
[3] The previous attainment date was May 31, 1977.

[37 FR 10898, May 31, 1972, as amended at 37 FR 15091, July 27, 1972; 38 FR 12702, May 14, 1973; 38 FR 16568, June 22, 1973; 38 FR 33724, Dec. 6, 1973; 39 FR 16347, May 8, 1974; 39 FR 22947, June 25, 1974; 45 FR 55196, Aug. 19, 1980]

§ 52.2430 Legal authority.

(a) The requirements of § 51.231(a) of this chapter are not fully met because the plan does not adequately identify or provide copies of all laws or regulations necessary for implementing the transportation control measures.

(b) The requirements of § 51.232(b) of this chapter are not fully met because it is not clearly demonstrated that all local agencies have requisite legal authority, or that the State retains responsibility for implementing the transportation control measures.

[38 FR 33724, Dec. 6, 1973, as amended at 43 FR 38703, Aug. 30, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.2431 Control strategy: Carbon monoxide and ozone.

(a) The requirements of § 51.111 of this chapter are not met because the approvable measures in the transportation control plan are not adequate to attain the national standards in the National Capital region. Inadequate technical justification was provided for the claimed reductions in aircraft emissions, and no strategies were provided for these reductions.

(b) The requirements of § 51.111 of this chapter are not fully met with respect to the expansion of the bus fleet and service because of lack of detail or agreements which will result in the expansion.

(c) The requirements of § 51.111 of this chapter are not fully met because of the lack of an adequate schedule for bus acquisitions, for elimination of employee free parking, and for elimination of free on-street commuter parking.

(d) The requirements of § 51.112 of this chapter are not met with respect to gasoline vapor controls to the extent that Virginia's vapor recovery—stage I regulation may exempt sources subject to control under § 52.2438 of this part.

[38 FR 33724, Dec. 6, 1973, as amended at 43 FR 39367, Sept. 5, 1978; 45 FR 55196, Aug. 19, 1980; 46 FR 57284, Nov. 23, 1981; 51 FR 40676, Nov. 7, 1986]

§ 52.2432 [Reserved]

§ 52.2433 Intergovernmental cooperation.

(a) The requirements of Subpart M of this chapter are not met because the plan does not adequately identify the State and local agencies, and their responsibilities, involved in carrying out the proposed transportation control measures.

[38 FR 16569, June 22, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2434 [Reserved]

§ 52.2435 Compliance schedules.

(a) The compliance schedules for the sources listed below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	State regulation(s) involved	Date of adoption	Effective date	Final compliance date
Adams Construction Co	Dickensonville	4.04	Oct. 31, 1974	Immediately	May 15, 1975.
Do	St. Paul	4.04	Sept. 5, 1974	do	Apr. 1, 1975.
American Cyanamid Co	Damascus	4.03	June 13, 1974	do	June 30, 1975.
American Filtron Corp	Richmond	4.02	Dec. 10, 1974	do	Apr. 30, 1975.
American Furniture Co	Martinsville	4.04.01	June 27, 1974	do	May 31, 1975.
Appalachian Power Co	Glen Lyn	4.02, 4.03	Nov. 7, 1974	do	Apr. 30, 1975.
Bassett Furniture Industry, Inc	Bassett	4.04.01(b)(9)	June 25, 1974	do	June 30, 1975.
Do	Burkeville	4.02, 4.03, 4.04	do	do	Do.

Source	Location	State regulation(s) involved	Date of adoption	Effective date	Final compliance date
Branco, Inc	Petersburg	4.02.01, 4.04.01(b)(10).	Dec. 19, 1974	do	Apr. 30, 1975.
Burlington Industries	Altavista	4.02.01, 4.03.01	June 21, 1974	do	June 30, 1975.
Do	Clarkesville	4.03.01	June 24, 1974	do	Do.
Do	Glasgow	4.02.01	Sept. 9, 1974	do	June 1, 1975.
Burruss Land and Lumber Co	Brookneal	4.04	June 25, 1974	do	June 30, 1975.
Cargill, Inc	Chesapeake	4.04.01, 4.04.02	June 28, 1974	do	Do.
Chessie System	Richmond	4.02, 4.03	Nov. 8, 1974	do	Do.
Chesterfield Public Schools	Chesterfield County.	4.07	June 28, 1974	do	Do.
Citadel Cement Corp	Cloverdale	Section IV (rule 4).	June 19, 1974	do	Do.
City of Norfolk Incinerator	Norfolk-Lambert's Point.	4.07	June 26, 1974	do	Do.
Clinch River Quarries	Russell County	4.04	Oct. 31, 1974	do	Apr. 30, 1975.
Continental Can Co	Hopewell	4.01, 4.02, 4.03, 4.05.	July 1, 1974	do	June 5, 1975.
Continental Grain Co	Norfolk	4.04.02	June 26, 1974	do	Mar. 5, 1975.
Dan River Mills, Dan River Knits	Danville	4.02	June 24, 1974	do	June 30, 1975.
Dan River Mills, Riverside Division.	do	4.02	do	do	Do.
Dixie Manufacturing Co	Norfolk	4.02, 4.04	June 27, 1974	do	Apr. 10, 1975.
Dow Badische Co	Williamsburg	4.07.03	June 26, 1974	do	June 30, 1975.
V. M. Draper Manufacturing Co., Inc.	Martinsville	4.03, 4.04	June 27, 1974	do	June 15, 1975.
Emporia Foundry Co	Emporia	4.02.01, 4.04.01(b)(10).	June 28, 1974	do	Apr. 1, 1975.
Evans Products Co	Doswell	4.04.01(b)(9), 4.02.01, 4.03.01.	July 2, 1974	do	Apr. 15, 1975.
Felton Brothers Transit Mix, Inc	Ontario	4.04	July 1, 1974	do	June 30, 1975.
Franklin Veneer Co	Rocky Mount	4.03.01	June 24, 1974	do	Do.
Gold Bond Building Products	Kimballton	Section IV (rule 4).	June 19, 1974	do	Do.
Gold Kist, Inc., Plant No. 1	Suffolk	4.02.01, 4.04.01	June 26, 1974	do	Do.
Gold Kist, Inc., Plant No. 2	do	4.04.01	do	do	May 31, 1975.
Graham-White Manufacturing Co	Salem	4.04	Jan. 7, 1975	do	June 30, 1975.
Gravely Furniture Co	Ridgeway	4.04	June 24, 1974	do	Do.
Guyer-Roberts Manufacturing Division, Franklin Veneer Co.	Rocky Mount	4.03.01	June 27, 1974	do	Do.
Halifax Cotton Mills, Inc	South Boston	4.02.01, 4.03.01	June 21, 1974	do	Do.
Hampton Hardwood	Newport News	4.04	Nov. 15, 1974	do	June 1, 1975.
Henry County Plywood Corp	Ridgeway	4.02, 4.03, 4.04	Sept. 9, 1974	do	June 30, 1975.
Hooker Furniture Co	Martinsville	4.02, 4.03, 4.04	June 27, 1974	do	Do.
Hoover Color Corp	Hiwassee	4.04	Oct. 31, 1974	do	June 1, 1975.
Imperial Briquet Corp	Kenbridge	4.02.01	June 25, 1974	do	June 30, 1975.
James River Hydrate & Supply Co.	Swords Creek	4.04	Sept. 6, 1975	do	Apr. 1, 1975.
Kittinger Old Dominion	Richmond	4.02.01, 4.03.01	June 28, 1974	do	Apr. 15, 1975.
The Lane Corp	Altavista	4.02.01, 4.03.01, 4.04.01.	June 27, 1974	do	Apr. 30, 1975.
Lees Industries	Richmond	4.03	Oct. 29, 1974	do	May 31, 1975.
Lee Hy Paving Corp	Port Royal	4.02, 4.04	June 26, 1974	do	Apr. 15, 1975.
Do	Rockville	4.04.01(b)(2)	July 1, 1974	do	May 15, 1975.
Lester Forest Products	Martinsville	4.02.01, 4.03.01, 4.04.01.	June 21, 1974	do	Do.
Lone Jack Limestone Co., Inc	Glasgow	4.04	Dec. 11, 1974	do	Apr. 15, 1975.
Lone Star Industries, Campostella Plant.	Norfolk	4.04.01, 4.04.02	June 28, 1974	do	May 15, 1975.
Lorton Reformatory	Lorton	4.702.01, 4.703.01.	June 27, 1974	do	June 23, 1975.
MW Manufacturers	Rocky Mount	4.03.01, 4.04.01	June 24, 1974	do	June 30, 1975.
John Marshall Hotel	Richmond	4.03.01, 4.02.01	July 1, 1974	do	Do.
Miller Manufacturing Co., Inc	do	4.02, 4.03, 4.04.01(b)(9).	July 2, 1974	do	Do.
Merck & Co	Elkton	Section IV (rule 2, 3, 5).	June 20, 1974	do	May 31, 1975.

Source	Location	State regulation(s) involved	Date of adoption	Effective date	Final compliance date
Mouldings, Inc	Marion	4.02.00, 4.04.01(b)(9).	June 19, 1974	do	Feb. 26, 1975.
Naval Weapons Station	Yorktown	4.04.01	June 28, 1977	do	June 30, 1975.
Newport News Shipbuilding and Dry Dock Co.	Newport News	4.04, 4.07	June 27, 1974	do	Do.
Norfork Naval Shipyard	Portsmouth	4.02, 4.04, 4.07	June 26, 1974	do	Do.
O.K. Foundry Co., Inc	Richmond	4.02.01, 4.04.01(b)(10).	June 28, 1974	do	June 1, 1975.
Old Dominion Fiber Co	Doswell	4.01.03(b)	Sept. 10, 1974	do	June 30, 1975.
Old Dominion Plywood Co	Bristol	4.03.00	June 18, 1974	do	Do.
Osalt, Inc	Bluefield	4.02.01(a)(2)	Dec. 23, 1974	do	Apr. 20, 1975.
Premier Millwork and Lumber Co.	Virginia Beach	4.04	Jan. 9, 1975	do	June 1, 1975.
Pond Bros. Peanut Co	Suffolk	4.02.01, 4.03.01	June 26, 1974	do	June 30, 1975.
Pulaski Furniture Co	Pulaski	4.02, 4.04	June 27, 1974	do	Do.
Reynolds Metals Co	Bellwood Plant	4.04.01(b)(10), 4.02.01.	June 28, 1974	do	Apr. 15, 1975.
Reynolds Metals Co	Bellwood Smelting Plant.	4.04.01(b)(10), 4.02.01.	July 2, 1974	do	Do.
Richmond Guano Co	Henrico	4.04.01(b)(3)	July 1, 1974	do	June 30, 1975.
Richmond Lumber & Building Supply Co.	Richmond	4.02.01, 4.03.01	June 27, 1974	do	May 1, 1975.
Richmond Public Schools	Bellevue	4.02.01	July 2, 1974	do	May 31, 1975.
Do	Bainbridge	4.02.01	do	do	Do.
Do	Fairmount	4.02.01	do	do	Do.
Do	Oak Grove	4.02.01	do	do	Do.
Do	Stonewall Jackson.	4.02.01	do	do	Do.
Charles D. Roberts Co	Kenbridge	4.02.01, 4.04.02	June 26, 1974	do	June 30, 1975.
Southside Manufacturing Corp	Danville	4.02, 4.03	June 21, 1974	do	Do.
Strickland Foundry & Machinery Co.	Richmond	4.02, 4.04	Sept. 16, 1974	do	May 15, 1974.
Suffolk Lumber Co	Suffolk	4.02, 4.03	June 28, 1974	do	June 30, 1975.
Stuart Lumber Corp.	Stuart	4.04.01(b)(9)	June 25, 1974	do	June 30, 1975.
Stuart M. Perry	Winchester	4.04	Dec. 19, 1974	do	Apr. 30, 1975.
Star Paper Tube, Inc	Danville	4.07	June 28, 1974	do	June 30, 1975.
Southern Johns-Manville Products Corp.	Jarratt	4.02.01, 4.03.01	July 1, 1974	do	Do.
Templeton & Sons	Lynchburg	4.04	Oct. 30, 1974	do	Apr. 1, 1975.
Tidewater Crushed Stone & Asphalt Co. (I-95 asphalt plant).	Richmond	4.04	Sept. 10, 1975	do	June 30, 1975.
Tidewater Crushed Stone & Asphalt Co. (I-95 crushed stone plant).	do	4.04	do	do	Do.
Tidewater Crushed Stone & Asphalt Co.	Henrico County	4.04	Sept. 9, 1974	do	Apr. 1, 1975.
Union Camp Corp	Franklin	4.02, 4.03, 4.04	June 27, 1974	do	June 30, 1975.
U.S. Gypsum Co	Saltville	4.04.01(b)(5), 4.04.02, 4.04.01.	June 20, 1974	do	Apr. 30, 1975.
Do	do	4.04.01(b)(5), 4.04.02, 4.04.01.	Dec. 11, 1974	do	June 30, 1975.
U.S. Navy Public Works Center	Norfolk	4.02	June 27, 1974	do	Mar. 30, 1975.
U.S. Plywood	South Boston	4.04	Jan. 9, 1975	do	June 30, 1975.
University of Virginia	Charlottesville	4.07	June 26, 1974	do	Apr. 30, 1975.
Vaughn Furniture Co	Galax	4.04	Sept. 5, 1974	do	May 30, 1975.
Vaughn-Bassett Furniture Co	do	4.04.01(b)(9)	June 19, 1974	do	June 30, 1975.
Virginia Asphalt Paving Co	Riverton	4.02	Jan. 6, 1975	do	Apr. 15, 1975.
Virginia Foundry Co	Roanoke	4.02, 4.04	June 20, 1974	do	June 30, 1975.
Virginia House Furniture Corp	Atkins	4.02, 4.04.01(b)(9).	Jan. 7, 1975	do	Apr. 30, 1975.
Virginia Lime Co	Kimballton	Section IV (rules 2, 4).	June 20, 1974	do	June 30, 1975.
Virginia Woodworking Co	Bristol	4.03.00, 4.04.01(b).	June 19, 1974	do	Do.
W. S. Frey Co	Clearbrook	4.04.01	June 21, 1974	do	Do.
Washington Weaving Co	Fries	4.02	Nov. 7, 1974	do	Apr. 30, 1975.
Weaver Fertilizer Co	Norfolk	4.04.02, 4.04.01(a)(1), 4.04.01(b)(3).	June 28, 1974	do	June 30, 1975.

Source	Location	State regulation(s) involved	Date of adoption	Effective date	Final compliance date
Webb Furniture Co	Galax	4.04	Oct. 30, 1974	....do	Do.
Weblite Corp	Roanoke	4.04.01(b)(11)	June 27, 1974	....do	Do.
Westvaco Corp. (Chemical Plant).	Covington	4.04, 4.07	....do	....do	June 15, 1975.
William Byrd Motor Hotel	Richmond	4.03.01, 4.02.01	July 1, 1974	....do	June 30, 1975.
Wonderknit Corp	Galax	4.03	Oct. 30, 1974	....do	Mar. 15, 1975.
Zapata Haynie Corp	Reedville	4.04	June 25, 1974	....do	June 30, 1975.

(b) With respect to the Eisenhower Avenue Municipal Incinerator, Alexandria, Va.:

(1) The City of Alexandria (hereafter referred to as "City") is required to purchase the following refuse collection equipment or implement the following objects by the dates specified in order to gradually reduce incinerator throughput:

(i) July 1, 1978—purchase of two tractors, two trailers, and the continued implementation of a promotional campaign for a recycling program.

(ii) July 1, 1979—Purchase of two additional tractors, two additional trailers and the implementation of additional promotion for a recycling program.

(iii) December 31, 1979—Closure of the incinerator.

(2) Waste Materials will not exceed throughput level of 300 tons per day.

(3) The incinerator will be maintained in good working condition until it is closed.

(4) Brush, cardboard and overwet materials which might exacerbate emissions will be removed from trash to be burned in the incinerator and hauled to the I-95 landfill at Lorton. This selected burning process will be continued until closure of the incinerator.

(5) The City will regularly submit quarterly reports to EPA and the Commonwealth of Virginia containing information related to progress under the compliance schedule EPA will be notified if the compliance schedule which leads to the development of the refuse derived fuel (RDF) program is not being met.

(6) The City guarantees that closure of the incinerator will not be delayed because of an inability to implement an RDF program.

[40 FR 33450, Aug. 8, 1975, and 42 FR 58406, Nov. 9, 1977, as amended at 47 FR 19525, May 6, 1982; 51 FR 40675, 40676, Nov. 7, 1986]

§ 52.2436 Rules and regulations.

(a) The requirements of § 51.281 are not met because regulations have not been adopted and submitted for the stationary source measures aimed at reducing gasoline handling and dry cleaning losses. Substitute regulations are promulgated in §§ 52.2438, 52 2439, and 52.2440.

(b) The requirements of § 51.281 are not met with respect to Section 4.55 (b) of the Virginia regulations, because the regulation is not adequately enforceable. Therefore, Section 4.55(b) is disapproved.

[38 FR 33725, Dec. 6, 1973, as amended at 45 FR 55197, Aug. 19, 1980; 51 FR 40677, Nov. 7, 1986]

§ 52.2437 [Reserved]

§ 52.2438 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Virginia portion of the National Capital Interstate AQCR.

(c) No person shall transfer gasoline from any delivery vessel into any stationary storage container with a capacity greater than 250 gallons unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary container location.

(1) The vapor recovery portion of the system shall include one or mo of the following:

(i) A vapor tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Refrigeration-condensation system or equivalent designed to recover no less than 90 percent by weight of the organic compounds in the displaced vapor.

(2) If a "vapor-tight vapor return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system, or equivalent vapor removal system, and so constructed as to anticipate compliance with § 52.2439.

(3) The vapor-laden delivery vessel shall be subject to the following conditions:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) The vapor-laden delivery vessel may be refilled only at facilities equipped with vapor recovery systems or the equivalent, which can recover at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of one thousand gallons or less in gasoline delivery vehicles presently in use on the promulgation date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage containers served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of implements of husbandry.

(2) Any container having a capacity less than 2,000 gallons installed prior to promulgation of this section.

(3) Transfers made to storage tanks equipped with floating roofs or their equivalent.

(4) Any stationary container at any facility where the average monthly throughput (one-twelfth of the total throughput for the preceding 12 months) equals or exceeds 20,000 gallons per month and which is subject to Virginia Regulation 4.52(e).

(e) Every owner or operator of a stationary storage container or delivery vessel subject to this section shall comply with the following compliance schedule:

(1) June 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) March 1, 1975—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) May 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) March 1, 1976—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(h) Any gasoline dispensing facility subject to this section which installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by March 1, 1976, and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section which installs a storage tank after March 1, 1976, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 33726, Dec. 6, 1973, as amended at 39 FR 4882, Feb. 8, 1974; 39 FR 41253, Nov. 26, 1974; 42 FR 29005, June 7, 1977; 43 FR 39367, Sept. 5, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.2439 Control of evaporative losses from the filling of vehicular tanks.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Virginia portion of the National Capital Interstate AQCR.

(c) A person shall not transfer gasoline to an automotive fuel tank from a gasoline dispensing system unless the transfer is made through a fill nozzle designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from the automotive fuel tank to a system wherein at least 90 percent by weight of the organic compounds in displaced vapors are recovered; and

(3) Prevent automotive fuel tank overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section may consist of a vapor-tight return line from the fill nozzle-filler neck interface to the dispensing tank or to an adsorption, absorption, incineration, refrigeration-condensation system or its equivalent.

(e) Components of the systems required by § 52.2439 may be used for compliance with paragraph (c) of this section.

(f) If it is demonstrated to the satisfaction of the Administrator that it is impractical to comply with the provisions of paragraph (c) of this section as a result of vehicle fill neck configuration, location, or other design features of a class of vehicles, the provisions of this section shall not apply to such vehicles. However, in no case shall such configuration exempt any gasoline dispensing facility from installing and using in the most effective manner a system required by paragraph (c) of this section.

(g) Every owner or operator of a gasoline dispensing system subject to this section shall comply with the following compliance schedule:

(1) June 1, 1974—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) November 1, 1974—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) January 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) May 1, 1977—Complete on-site construction installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of prograss, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. Any such schedule shall provide for certification to the Administrator, within 5 days after the deadline for each increment therein, as to whether or not that increment has been met. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(j) Any gasoline dispensing facility subject to this section which installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section which installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 33726, Dec. 6, 1973, as amended at 39 FR 4882, Feb. 8, 1974; 51 FR 40676, Nov. 7, 1986]

EDITORIAL NOTE: The compliance date was deferred indefinitely at 40 FR 1127, Jan. 6, 1975.

§ 52.2440 Control of dry cleaning solvent evaporation.

(a) Definitions:

(1) "Dry cleaning operation" means that process by which an organic solvent is used in the commercial cleaning of garments and other fabric materials.

(2) "Organic solvents" means organic materials, including diluents and thinners, which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

(3) "Photochemically reactive solvent" means any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, as applied to the total volume of solvent.

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with 8 or more carbon atoms to the molecule except ethylbenyenl: 8 percent;

(iii) A combination of ethylbenyene or ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

(b) This section is applicable to the Virginia portion of the National Capital Interstate Region.

(c) No person shall operate a dry cleaning operation using other than perchloroethylene, 1,1,1-trichloroethane, or saturated halogenated hydrocarbons unless the uncontrolled organic emissions from such operation are reduced at least 85 percent; provided, that dry cleaning operations emitting less than 8 pounds per hour and less than 40 pounds per day of uncontrolled organic materials are exempt from the requirement of this section.

(d) If incineration is used as a control technique, 90 percent or more of the carbon in the organic emissions being incinerated must be oxidized to carbon dioxide.

(e) Any owner or operator of a source subject to this section shall achieve compliance with the requirements of paragraph (c) of this section by discontinuing the use of photochemically reactive solvents no later than January 31, 1974, or by controlling emissions as required by paragraphs (c) and (d) of this section no later than May 31, 1975.

[38 FR 33727, Dec. 6, 1973]

§§ 52.2441—52.2447 [Reserved]

§ 52.2448 Review of new sources and modifications.

(a) Because of the late submission of Virginia's plan for review of new or modified indirect sources, the public has not had adequate opportunity to comment on its approvability. Therefore, the Administrator disapproves this portion of the plan pending completion of the public comment period and the Administrator's evaluation of the plan.

(b) *Regulation for review of new or modified indirect sources.* The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Virginia.

[39 FR 7284, Feb. 25, 1974]

§ 52.2449 Maintenance of national standards.

(a) The areas listed below, which were identified by the State of Virginia, are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Hampton-Newport News Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Gloucester County, James City County, York County, Hampton City, Newport News City, Williamsburg City.

(2) Lynchburg Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Amherst County, Appomattox County, Campbell County, Lynchburg City.

(3) National Capital Interstate Air Quality Maintenance Area (Virginia Portion).

(i) Pollutants for which the area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of area:

Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City.

(4) Norfolk-Portsmouth-Virginia Beach Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Chesapeake City, Norfolk City, Portsmouth City, Suffolk City, Virginia Beach City.

(5) Petersburg-Colonial Heights-Hopewell Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Prince George County, Dinwiddie County, Petersburg City, Colonial Heights City, Hopewell City.

(6) Richmond Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Charles City County, Chesterfield County, Goochland County, Hanove County, Henrico County, Powhat County, Richmond City.

(7) Roanoke Air Quality Mainte nance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Botetourt County, Craig County, Roanoke County, Roanoke City, Salem City.

[40 FR 41953, Sept. 9, 1975; 40 FR 45817, Oct. 3, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2450 [Reserved]

§ 52.2451 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Virginia.

(c) Pursuant to 40 CFR 52.21(u) full delegation of authority for all portions of the Federal PSD program, as described in 40 CFR 52.21, was relinquished to the Commonwealth of Virginia as of June 3, 1981. All applications submitted as of that date and supporting information required pursuant to § 52.21 from sources located in the Commonwealth of Virginia shall be submitted to: Division of Compliance, State Air Pollution Control Board, Commonwealth of Virginia, Room 1116, Ninth Street Office Building, Richmond, Virginia 23214.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 46 FR 33524, June 30, 1981; 47 FR 28373, June 30, 1982]

§ 52.2452 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of Virginia.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Virginia.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart WW—Washington

§ 52.2470 Identification of plan.

(a) Title of plan: "A Plan for the Implementation, Maintenance and Enforcement of National Ambient Air Quality Standards in the State of Washington."

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Contingency request for a two year extension for carbon monoxide and nitrogen dioxide in the Puget Sound Intrastate Region and for carbon monoxide in the Eastern Washington-Northern Idaho Interstate Region submitted on January 28, 1972, by the Governor.

(2) Request for a two year extension, delegation of legal authority and amendments to the implementation plan submitted on May 5, 1972, by the Governor.

(3) Notices of public hearings and certifications that hearings were held regarding implementation plan matters submitted on July 18, 1972, by the Department of Ecology.

(4) Clarifying submission (Non-regulatory) to the implementation plan submitted on September 11, 1972, by the Governor.

(5) Compliance schedules submitted on December 12, 1972, by the Washington Department of Ecology.

(6) Compliance schedules, revisions to WAC 18-04, 18-12 and 18-40, and a new regulation WAC 18-06 submitted on February 15, 1973, by the Governor.

(7) Transportation control plan submitted on April 13, 1973, by the Governor.

(8) Revisions to the transportation control plan submitted on May 31, 1973, by the Governor.

(9) Compliance schedules submitted on July 25, 1973, by the Department of Ecology.

(10) Indirect source plan submitted on October 11, 1973, by the Department of Ecology.

(11) Indirect source regulation (WAC 18-24) submitted on June 14, 1974, by the Governor.

(12) Air quality maintenance area designation submitted on May 31, 1974, by the Washington Department of Ecology.

(13) Revisions to the State and local agency open burning regulations submitted on September 10, 1973, by the Department of Ecology.

(14) Information regarding the approval of the revised open burning regulations submitted on May 23, 1975, by the Department of Ecology.

(15) Revision to section 9.05(c) of Regulation I of the Olympic Air Pollution Control Authority submitted November 6, 1975 by the Governor.

(16) On April 4, 1979 the State of Washington Department of Ecology submitted a request to extend for eighteen months the date for plan submission for all secondary total suspended particulate nonattainment areas.

(17) On June 26, 1975 the Governor submitted amendments to WAC 18-24 "State jurisdiction over Motor Vehicles" which repealed the program for preconstruction review and approval of indirect sources, leaving only Sections 020—Definitions and 030—Assumption of Jurisdiction. On April 27, 1979 the Governor submitted revisions required by Part D of the Clean Air Act as amended in 1977, specifically: plans for the Seattle primary total suspended particulate (TSP) nonattainment area, the Tacoma primary TSP nonattainment area, the Seattle-Tacoma carbon monoxide (CO) and ozone nonattainment areas (along with a request for an extension of the attainment dates to beyond December 31, 1982), the Spokane primary TSP nonattainment area, the Clarkston primary TSP nonattainment area, the Vancouver primary TSP nonattainment area, and the Yakima CO nonattainment area; revisions to State and local regulations for nonattainment areas (WAC 173-400-010, 173-400-020, 173-400-030, 173-400-040 (except (13)), 173-400-050, 173-400-060, 173-400-070, 173-400-090, 173-400-100, 173-400-110, and 173-400-120; WAC 173-420; WAC 173-425, WAC 173-490 (except 173-150); Puget Sound Air Pollution Control Agency Regulation I, Articles 1, 3, 6, 9 (Sections 9.02, 9.02A, 9.03, 9.04, 9.05, 9.06, 9.07(d), 9.07(e), and 9.09); Northwest Air Pollution Control Authority Regulation Section 455.11; and Spokane County Air Pollution Control Authority Regulation Article IV, Section 4.01); and the rescission of State and local agency regulations which duplicated applicable Federal or State regulations for nonattainment areas (WAC 18-04-010, 18-04-020, 18-04-030, 18-04-040, 18-04-050, 18-04-060, 18-04-070, 18-04-090, 18-04-100, 18-04-110, and 18-04-120; WAC 18-06; WAC 18-12; WAC 18-20; WAC 18-24; WAC 18-28; WAC 18-32; WAC 18-40; WAC 18-44; WAC 18-46; WAC 18-48; WAC 18-56; WAC 18-60; Puget Sound Air Pollution Control Agency Regulation I, Articles 5, 9 (Sections 9.07(a), 9.07(b), 9.11, 9.12, 9.13, 9.15, and 9.16), and 11; Spokane County Air Pollution Control Authority Regulations I and II (except Article IV, Section 4.01); Northwest Air Pollution Authority Regulations 1 and 2 and Section 501 Southwest Air Pollution Control Agency Regulations 1 and 2; Olympic Air Pollution Control Agency Regulation I; Yakima County Clean Air Authority Regulation 1; Grant County Clean Air Authority Regulation; Benton-Franklin-Walla Walla Air Pollution Control Agency Regulation; and Douglas County Air Pollution Control Commission Article V, Section 5.01). On May 18, 1979 the State of Washington Department of Ecology submitted corrections to the Puget Sound area emission inventory in the April 27, 1979 submittal. On June 20, 1979 the Governor submitted the plan for the Vancouver ozone nonattainment area including a request for an extension of the attainment date to beyond December 31, 1982. On December 21, 1979 the State of Washington Department of Ecology submitted statutory authority for an automobile inspection and maintenance program and a detailed schedule for its implementation. On May 1, 1980 the State of Washington Department of Ecology submitted revised statutory language pertaining to State legal authority.

(18) On April 1, 1980 the State of Washington Department of Ecology submitted revisions to the regulations for Kraft Pulping Mills (WAC 173-405-011; 173-405-021; 173-405-031(1), (4), (5) and (6); 173-405-036(1), (2) and (4); 173-405-061; 173-405-071(2), (3), (4)(d), (4)(e) and (5); 173-405-077; 173-405-078; 173-405-086; and 173-405-101), Sulfite Pulping Mills (WAC 173-410-011; 173-410-021; 173-410-031; 173-410-036(1), (2) and (4); 173-410-041; 173-410-061 (1) through (8); 173-410-067; 173-410-071; 173-410-086; and 173-410-091), and Primary Aluminum Plants (WAC 18-52-010; 18-52-016; 18-52-021; 18-52-031 (2) and (4); 18-52-036(1); 18-52-056; 18-52-061; 18-52-071(1)(c), (1)(f), and (2); 18-52-077; and 18-52-086) and rescission of old regulations (WAC 18-36-010, 18-36-020, 18-36-030, 18-36-040, 18-36-050, 18-36-060, 18-36-070, 18-36-080, 18-36-090 and 18-36-100; WAC 18-38-010, 18-38-020, 18-38-030, 18-38-040, 18-38-050, 18-38-060, 18-38-070, 18-38-080 and 18-38-090; and WAC 18-52-015, 18-52-020, 18-52-030 (except (3)), 18-52-040, 18-52-060, 18-52-070 and 18-52-080) to satisfy the requirements of Part D of the Clean Air Act.

(19) On April 27, 1979 the Governor submitted the plan for the Spokane carbon monoxide (CO) nonattainment area. On September 10, 1980 the State of Washington Department of Ecology submitted a revised transportation control plan for the Spokane CO nonattainment area.

(20) On March 5, 1980 the State of Washington Department of Ecology submitted a plan revision to meet the requirements of 40 CFR Part 58, Subpart C, § 58.20 Air Quality Monitoring.

(21) On April 27, 1979 the Governor submitted a provision for maintenance of pay (WAC 173-400-160).

(22) On June 24, 1980 the State of Washington Department of Ecology submitted a new regulation WAC 173-402 "Civil Sanctions Under Washington Clean Air Act". On July 30, 1980 the State of Washington Department of Ecology submitted revisions to WAC 173-400 (specifically 173-020; 173-030; 173-040 (except (13)); 173-050; 173-060; 173-070; 173-090; 173-100; 173-110; and 173-120), WAC 173-405 (specifically 173-012; 173-021; 173-040 (1), (2), (3), (4), (5), (6) and (17); 173-072(1), (4) and (5); 173-077, 173-086; and 173-101; and rescission of 173-011; 173-031 (1), (4), (5) and (6); 173-036 (1), (2) and (4); 173-061; 173-071 (2), (3), (4)(d), (4)(e) and (5); and 173-078), WAC 173-410 (specifically 173-012; 173-021; 173-040 (1), (2), (3), (5) and (16); 173-062 (1), (2) and (3); 173-067; 173-086; 173-090; and 173-091; and rescission of 173-011; 173-031; 173-036 (1), (2) and (4); 173-041; 173-061 (1) through (8); and 173-071), WAC 173-415 (specifically 173-010; 173-020; 173-030(2)(b), (4), (5), (7) and (11); 173-050; 173-060(1)(c) and (2); 173-070; and 173-090), WAC 173-490 (specifically 173-010; 173-020; 173-025; 173-030; 173-040; 173-070; 173-071; and 173-080), rescission of old WAC 18-52 (specifically 18-010; 18-016; 18-021; 18-030(3); 18-031 (2) and (4); 18-036(1); 18-056; 18-061; 18-071(1)(c), (1)(f) and (2); 18-077; and 18-086), and revisions to the Seattle-Tacoma carbon monoxide, Seattle-Tacoma ozone, Vancouver ozone, Seattle primary total suspended particulate (TSP), Tacoma primary TSP, Vancouver primary TSP, Spokane primary TSP and Clarkston primary TSP nonattainment area plans, in order to satisfy the conditions of approval published on June 5, 1980 and July 31, 1980. On November 7, 1980 the State of Washington Department of Ecology submitted clarifying information, including the designated "no burn" areas for the Seattle, Tacoma and Spokane TSP nonattainment areas to satisfy the conditions of approval published on June 5, 1980. On January 13, 1981 the State of Washington Department of Ecology submitted further revisions to WAC 173-400-110 and WAC 173-490-020 and 173-490-040 in order to satisfy the conditions of approval published on June 5, 1980.

(23) On August 17, 1979 and July 30, 1980 the Governor submitted revisions to the State of Washington Implementation Plan to provide authority to the Energy Facility Site Evaluation Council to implement the plan required by section 110 of the Clean Air Act for energy facilities, specifically, statutory authority (80.50 RCW), applicable regulations (WAC 463-39-010; 463-39-020; 463-39-030 (except (4), (7), (10), (24),

(25), (30), (35) and (36)); 463-39-040 (except introductory paragraph); 463-39-050; 463-39-060; 463-39-080; 463-39-100; 463-39-110 (except (1), first two sentences of (3)(b), (3)(c), (3)(d) and (3)(e)); 463-39-120; 463-39-130; 463-39-135; 463-39-150; and 463-39-170), and a Memorandum of Agreement between the Energy Facility Site Evaluation Council and the State of Washington Department of Ecology describing program implementation. On May 28, 1981, the Energy Facility Site Evaluation Council submitted an Attorney General's opinion certifying that 80.50 RCW provided sufficient enabling authority to meet the requirements of the Clean Air Act.

(24) On November 17, 1981 the State of Washington Department of Ecology submitted a revision to the plan for the Spokane carbon monoxide nonattainment area, including a schedule for the implementation of an expanded transit service to satisfy the condition of approval published on December 24, 1980.

(25) On July 30, 1980 the State of Washington Department of Ecology submitted revisions to the regulations for sources of volatile organic compounds (VOC), specifically WAC 173-490-200, 173-490-201, 173-490-202, 173-490-203, 173-490-204, 173-490-205 (except (d)), 173-490-206 and 173-490-207. On January 13, 1981 the State of Washington Department of Ecology submitted a further revision to WAC 173-490-203. On June 25, 1981 the State of Washington Department of Ecology submitted VOC source test methods. On November 13, 1981 the State of Washington Department of Ecology submitted clarifying information on the regulations for sources of VOC.

(26) On July 16, 1982 the State of Washington Department of Ecology submitted an attainment plan for the Vancouver ozone nonattainment area and amendments to the regulations for sources of volatile organic compounds (WAC-490-020, 490-025, 490-040, 490-080, 490-203, 490-204, 490-205 and 490-208, and rescission of 490-206).

(27) On July 16, 1982 the State of Washington Department of Ecology submitted attainment plans for the Seattle-Tacoma ozone nonattainment area and the Seattle carbon monoxide (CO) nonattainment area, including regulations for motor vehicle emission inspection (WAC 173-422) and the Puget Sound Air Pollution Control Agency regulation for sources of volatile organic compounds (Regulation II). On December 1, 1982 the State of Washington Department of Ecology submitted procedures by which conformity of Federal projects with the Seattle-Tacoma ozone and Seattle CO plans will be determined.

(28) Amendments to page III-D-2 (TABLE 8—DEPARTMENT OF ECOLOGY SOURCE TEST METHODS WHICH ARE USED FOR COMPLIANCE) of the Washington State Implementation Plan, submitted by the State Department of Ecology on July 23, 1984.

(29) On September 13, 1983 the State of Washington Department of Ecology submitted a revision to add a lead strategy to the Washington Implementation Plan.

(30) On June 15, 1984 the Washington Department of Ecology submitted a demonstration of attainment of the lead standard for the area around a primary copper smelter in Tacoma, Washington.

(31) On June 16, 1983, the State of Washington Department of Ecology submitted to EPA, the Tacoma carbon monoxide attainment plan as an official SIP revision. This plan builds upon the July 16, 1982, Ozone SIP for the Puget —ound area.

(32) On September 27, 1984 the State of Washington Department of Ecology submitted a revision to the approved lead SIP which revised the demonstration of attainment for the secondary lead smelter in Seattle.

(33) On January 16, 1984 the Washington Department of Ecology submitted revisions to the approved SI which added the PSAPCA emissio offset and banking program to the a proved SIP regulations. The revisio consisted of new section 1.07(1.07(rr), 1.07(xx), 6.07(b)(7) and 6.08 PSAPCA Regulation I.

(34) A revision to the Washingt State Implementation Plan was su mitted by the Director of the Wa ington Department of Ecology on Se

tember 27, 1984. The revision adds a mandatory Vehicle Inspection and Maintenance program to the Spokane Carbon Monoxide Plan.

(i) *Incorporation by reference.*

(a) Amendments to Chapter 173-422 Washington Administrative Code, Motor Vehicle Emission Inspection, which was published on April 18, 1984.

(ii) *Additional material.* (*a*) Technical Support Document as prepared by the Washington State Department of Ecology in support of approval dated January 11, 1985.

(35) On February 21, 1985 the State of Washington Department of Ecology submitted revisions to Regulation II, specifically, §§ 1.02, 2.13, 3.11 and 4.02, and "Monitoring and Reporting Procedures for VOC Sources" as adopted in Puget Sound Air Pollution Control Agency Resolution 568.

(i) Incorporation by reference.

(A) Letter dated February 21, 1985 from the Washington Department of Ecology to EPA Region 10.

(B) Resolution 568—Revisions to Regulation II and "Monitoring and Reporting Procedures for VOC Sources" as adopted by the Puget Sound Air Pollution Control Agency on December 13, 1984.

(36) Washington State's Visibility Protection Program, except SECTION V. B. *New Source Review,* APPENDIX A–PROPOSED BEST AVAILABLE RETROFIT TECHNOLOGY REGULATION and APPENDIX B—PROPOSED NEW SOURCE REVIEW REGULATIONS, submitted by the Director of the Washington Department of Ecology on January 5, 1984; certain provisions of 173-403 WAC Implementation of Regulations for Air Contaminant Sources, specifically, WAC 173-403-030(2), (9), (11), (24), (25), (31), (42), (46), (51), and (52), submitted by the Director of the Washington Department of Ecology on April 1, 1985; WAC 173-403-090, submitted by the Director of the Washington Department of Ecology on September 6, 1983; and the State of Washington Department of Natural Resources Smoke Management Program, submitted by the Director of the Washington Department of Ecology on April 27, 1979 and January 5, 1984.

(i) Incorporation by reference.

(A) Letter dated April 1, 1985, from the Director of the State of Washington Department of Ecology to EPA. Provisions of WAC 173-403-030 (Definitions) introductory text, (2), (9), (11), (24), (25), (31), (42), (46), (51), and (52), adopted by the State of Washington Department of Ecology on February 14, 1985.

(B) Letter dated September 6, 1983, from the Director of the State of Washington Department of Ecology to EPA. WAC 173-403-090 ("Retrofit Requirements for Visibility Protection"), adopted by the State of Washington Department of Ecology on August 25, 1983.

(C) Letter dated January 5, 1984, from the Director of the State of Washington Department of Ecology to EPA. "Washington State's Visibility Protection Program (10/3/83)," except SECTION V. B. *"New Source Review,"* APPENDIX A—"PROPOSED BEST AVAILABLE RETROFIT TECHNOLOGY REGULATION" and APPENDIX B—"PROPOSED NEW SOURCE REVIEW REGULATIONS" adopted by the State of Washington Department of Ecology on January 5, 1984;

(D) Appendix K ("The State of Washington Department of Natural Resources Air Quality-Prescribed Burning Smoke Management Program") revised June 1975.

[37 FR 10900, May 31, 1972]

EDITORIAL NOTE: For Federal Register citations affecting § 52.2470, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2471 Classification of regions.

The Washington plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Eastern Washington-Northern Idaho Interstate	I	IA	III	I	III
Northern Washington Intrastate	II	III	III	III	III
Olympic-Northwest Washington Intrastate	II	II	III	III	III
Portland Interstate	I	IA	III	I	I
Puget Sound Intrastate	I	IA	III	I	I
South Central Washington Intrastate	I	III	III	III	III

[37 FR 10900, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 45 FR 37836, June 5, 1980]

§ 52.2472 Extensions.

(a) The Administrator hereby extends for 1 year the attainment date for the national standards for carbon monoxide in the Puget Sound Intrastate Region and in Washington's portion of the Eastern Washington-Northern Idaho Intrastate Region.

(b) The Administrator hereby extends to July 1, 1980 the statutory timetable for submission of Washington's plan for the attainment and maintenance of the secondary standards for total suspended particulate matter in all non-attainment areas in Washington.

(c) The Administrator hereby extends the attainment date for carbon monoxide in the Seattle Central Business District and the Dearborn Street and Rainier Avenue Corridor (Seattle) nonattainment areas to April 30, 1986, the attainment date for carbon monoxide in the University District (Seattle) nonattainment area to June 30, 1986, and the attainment date for carbon monoxide in the Bellevue nonattainment area to September 30, 1986.

(d) The Administrator hereby extends the attainment date for ozone in the Seattle-Tacoma, Washington nonattainment area to September 30, 1984.

(e) The Administrator hereby extends the attainment date for ozone in the Vancouver portion of the Portland, Oregon-Vancouver, Washington nonattainment area to December 31, 1987.

[38 FR 32674, Nov. 27, 1973, as amended at 44 FR 44498, July 30, 1979; 44 FR 53161, Sept. 13, 1979; 48 FR 29852, June 29, 1983]

§ 52.2473 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Washington's plan for the attainment and maintenance of National Standards under section 110 of the Clean Air Act. The regulations included in the SIP (See Table 52.2479) are applicable statewide unless otherwise noted in the regulation itself. Furthermore, the Administrator finds that the plan as identified in § 52.2470 satisfies requirements of Part D, Title 1, of the Clean Air act as amended in 1977, except as noted in the following sections. Continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January. New source review permits pursuant to section 173 of CAA will not be deemed valid by EPA unless the provisions of Section V of the emission offset interpretive rule published on January 16, 1979 (44 FR 3274) are met.

[45 FR 37836, June 5, 1980, as amended at 46 FR 45609, Sept. 14, 1981; 47 FR 7840, Feb. 23, 1982]

§ 52.2474 General requirements.

(a) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1–June 30 and July 1–December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[40 FR 55334, Nov. 28, 1975]

§ 52.2475 Legal authority.

(a) The requirements of § 51.232(b) of this chapter are not met with respect to the "Transportation Control Strategies" submitted on April 13, 1973, because the State does not have legal authority to implement the traffic signal optimization, heavy-duty vehicle exclusion, or intermittent vehicle exclusion programs, which the plan indicates are to be implemented by the cities of Seattle and Spokane, or the skywalk and accelerated transit programs, which the plan indicates are to be implemented by the city of Spokane.

(b) As a result of a State appeals court ruling (January 29, 1980), EPA determined that language in the Washington Legal Authority specifically RCW 70.94.040, renders the Washington State and local air pollution control regulations unenforceable. The Washington State Legislature amended the defective language in the State law on March 13, 1980. The bill has been signed by the Governor and was submitted as a SIP revision on May 1, 1980. In addition, the State must take whatever action(s) necessary to ensure that both the existing SIP and the proposed SIP regulatory programs are valid and enforceable under the State Clean Air Act as amended. EPA is approving the State's legal authority as amended March 13, 1980.

[38 FR 32674, Nov. 27, 1973, as amended at 45 FR 37836, June 5, 1980; 51 FR 40676, Nov. 7, 1986]

§ 52.2476 [Reserved]

§ 52.2477 Source surveillance.

(a) The requirements of § 51.213 of this chapter are not met with respect to the "Transportation Control Strategies" submitted on April 13, 1973, because procedures are not provided for monitoring the status of the traffic signal optimization, heavy-duty vehicle exclusion, and inspection programs in the Puget Sound Intrastate Region and Washington's portion of the Eastern Washington-Northern Idaho Interstate Region, and of the accelerated transit program in Washington's portion of the Eastern Washington-Northern Idaho Interstate Region.

(b) A regulation for surveillance of the traffic signal optimization program approved in § 52.2473, and for the regulations promulgated in §§ 52.2485, 52.2490, and 52.2491 is contained herein.

(c) Regulation for monitoring transportation mode trends.

(1) This paragraph is applicable to the Puget Sound Intrastate Region and Washington's portion of the Eastern Washington-Northern Idaho Interstate Region.

(2) In order to assure the effectiveness of the inspection and maintenance program and the retrofit devices required under §§ 52.2485, 52.2490, and 52.2491, the State of Washington shall monitor the actual per-vehicle emission reductions occurring as a result of such sections. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State of Washington in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period from January 1 to March 31, 1976.

(3) In order to assure the effectiveness of the traffic signal optimization program approved in § 52.2473, the State of Washington shall monitor vehicle miles traveled and average vehicle speeds for each area in which the traffic signal optimization program is in effect, and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State of Washington in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period from January 1 to March 31, 1974. The data collected during the first quarter of calendar years 1976 and 1977 shall be submitted to the Administrator no later than 15 days after the end of such quarter. The vehicle miles traveled and vehicle speed data shall be collected on a monthly basis, and submitted in a format similar to Table 1.

TABLE 1

Time period ....
Affected area ....

Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2)[1]
Freeway		
Arterial		
Collector		

[1] Continue with other vehicle types as appropriate.

(4) No later than February 1, 1974, the State of Washington shall submit to the Administrator a compliance schedule to carry out the monitoring requirements in paragraph (c)(2) of this section. The compliance schedules shall include the following:

(i) The agency or agencies responsible for conducting, overseeing, and maintaining the monitoring programs.

(ii) The administrative processes to be used.

(iii) A description of the methods to be used to collect the emissions data, vehicle miles traveled data, and vehicle speed data; a description of any modeling techniques to be used; a description of the geographical area to which the data apply; identification of the location at which the data will be collected; and the time periods during which the data will be collected.

[38 FR 32674, Nov. 27, 1973, as amended at 44 FR 27571, May 10, 1979; 51 FR 40677, Nov. 7, 1986]

§ 52.2478 Attainment dates for national standards.

The following table presents the latest dates by which the National Air Quality Standards are to be attained. These dates reflect the information presented in Washington's plan.

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_2		NO_2	CO	O_3
	1st[1]	2nd[2]	1st[1]	2nd[2]			
Eastern WA-Northern Idaho Interstate AQCR (WA portion): 1. Spokane area	c	h	b	b	b	c	

Air quality control region and nonattainment area	Pollutant						
	TSP		SO_2		NO_2	CO	O_3
	1st[1]	2nd[2]	1st[1]	2nd[2]			
2. Clarkston area	c	h	b	b	b	b	b
3. Remainder of AQCR	b	b	b	b	b	b	b
Olympic-Northwest Intrastate:							
1. Port Angeles area	a	c	b	b	b	b	b
2. Remainder of AQCR	b	b	b	b	b	b	b
Portland, Oregon-Vancouver, WA Intrastate AQCR (WA portion):							
1. Vancouver area	c	h	b	b	b	b	g
2. Longview area	a	h	b	b	b	b	b
3. Remainder of AQCR	b	b	b	b	b	b	b
Puget Sound Intrastate AQCR:							
1. Seattle area							
Duwamish area	c	h	b	b	b	b	d
Central Business District	b	b	b	b	b	f	d
University District	b	b	b	b	b	e	d
Dearborn Street & Rainier Ave. Corridor	b	b	b	b	b	f	d
Remainder of Seattle Area	b	b	b	b	b	b	d
2. Bellevue CBD	b	b	b	b	b	j	d
3. Kent area	a	h	b	b	b	b	d
4. Renton area	a	h	b	b	b	b	d
5. Tacoma area	c	h	b	b	b	i	d
6. Seattle-Tacoma O_3 area							d
7. Remainder of AQCR	b	b	b	b	b	b	b
South Central Washington Intrastate AQCR:							
1. Yakima area	b	b	b	b	b	c	b
2. Remainder of AQCR	b	b	b	b	b	b	b

[1] 1st—Primary.
[2] 2nd—Secondary.
[a] Air quality levels presently below primary standards.
[b] Air quality levels below secondary standards or area is unclassifiable.
[c] December 31, 1982.
[d] September 30, 1984.
[e] June 30, 1986.
[f] April 30, 1986.
[g] December 31, 1987.
[h] Attainment date not established.
[i] February 28, 1987.
[j] September 30, 1986.

[48 FR 8275, Feb. 28, 1983, as amended at 52 FR 56, Jan. 2, 1987]

§ 52.2479 Rules and regulations.

The following table identifies the State and local regulations which have been submitted to, and approved by, EPA as revisions to the State of Washington Implementation Plan.

TABLE 52.2479—WASHINGTON SIP REGULATIONS

Citation	Title	Applicable sections	Date of sections	Date of EPA approval	Federal Register citation
WAC 173-400	General Regulations for Air Pollution Sources.	-010	Apr. 26, 1979	June 5, 1980	45 FR 37835
		-160	Apr. 26, 1979	Aug. 14, 1981	46 FR 41054
		-020; -030; -040 (except (13)); -050; -060; -070; -090; -100; -120.	Aug. 20, 1980	Sept. 14, 1981	46 FR 45609
		-110	Dec. 17, 1980	Sept. 14, 1981	46 FR 45609
WAC 173-402	Civil Sanctions under Washington Clean Air Act.	All	June 24, 1980	Sept. 14, 1981	46 FR 45609
WAC 173-403	Implementation of Regulations for Air Contaminant Sources.	-030(2), (9), (11), (24), (25), (31), (42), (46), (51), and (52).	March 8, 1985	May 4, 1987	46 FR 16245

TABLE 52.2479—WASHINGTON SIP REGULATIONS—Continued

Citation	Title	Applicable sections	Date of sections	Date of EPA approval	Federal Re citatio
		-090	Aug. 26, 1983	May 4, 1987	46 FR 1624
WAC 173-405	Kraft Pulping Mills	-012; -021; -040(1), (2), (3), (4), (5), (6), (17); -072(1), (4), (5); -077; -086; -101.	Aug. 20, 1980	Sept. 14, 1981	46 FR 456
WAC 173-410	Sulfite Pulping Mills	-012; -021; -040(1), (2), (3), (5), (16); -062(1), (2), (3); -067; -086; -090; -091.	Aug. 20, 1980	Sept. 14, 1981	46 FR 456
WAC 173-415	Primary Aluminum Plants.	-010; -020; -030(2)(b), (4), (5), (7), (11); -050; -060(1)(c), 2); -070; -090.	Aug. 14, 1980	Sept. 14, 1981	46 FR 45
WAC 173-420	State Jurisdiction over Motor vehicles.	All	Mar. 29, 1977	June 5, 1980	45 FR 37
WAC 173-422	Motor Vehicle Emission Inspection.	All	Dec. 31, 1981	Feb. 28, 1983	48 FR 8
WAC 173-425	Open Burning	All	Oct. 24, 1977	June 5, 1980	45 FR 3
WAC 173-490	Emission standards and Controls for Sources Emitting Volatile Organic Compounds.	-090; -120; -130; -135; -140.	Apr. 26, 1979	June 5, 1980	45 FR 3
		-010; -030; -070; -071.	Aug. 20, 1980	Sept. 14, 1981	46 FR
		-200; -201; -202, 207	Aug. 20, 1980	Apr. 14, 1982	47 FR
		-020; -025; -040; -080; -203; -204; -205; -208.	June 29, 1982	Dec. 17, 1982	47 FR
WAC 463-39	General Regulations for Air Pollution Sources.	-010; -020; -030 (except (4), (7), (10), (24), (25), (30), (35), (36)); -040 (except introductory paragraph); -050; -060; -080; -100; -110 (except (1), first two sentences of (3)(b), (3)(c), (3)(d), (3)(e)); -120; -130; -135; -150; -170.	July 23, 1979	Feb. 23, 1982	47 FR
WAC 18-04	General Regulations for Air Pollution Sources.	-080; -130; -140	Jan. 22, 1973	May 22, 1975	40 F
WAC 18-08	Emergency Episode Plan.	All	Undated	May 31, 1972	37 F
WAC 18-16	Grass Seed Field Burning.	All	Undated	May 31, 1972	37
Puget Sound Air Pollution Control Agency.	Regulation I	Article 9.07(c)	Aug. 12, 1970	May 31, 1972	37
		Article 9.02A	Oct. 10, 1973	Oct. 29, 1975	40
		Article 1 (except 1.07(s), 1.07(rr), and 1.07(xx)); Article 3; and Article 6 (except 6.07(b)(7) and 6.08).	Dec. 1974	June 5, 1980	45
		Articles 9.02, 9.03, 9.04, 9.05, 9.06, 9.07(d), 9.07(e), 9.09.	Jan. 1977	June 5, 1980	45
		Articles 1.07(s), 1.07(rr), 1.07(xx), 6.07(b)(7), and 6.08.	Oct. 11 1983	April 22, 1985	50

TABLE 52.2479—WASHINGTON SIP REGULATIONS—Continued

Citation	Title	Applicable sections	Date of sections	Date of EPA approval	Federal Register citation
Puget Sound Air Pollution Control Agency.	Regulation II	Article 1 (except 1.02, Article 2 (except 2,13), Article 3 (except 3.11), and Article 4 (except 4.02).	Apr. 8, 1982	Feb. 28, 1983	48 FR 8274
		Article 1, Section 1.02, Article 2, Section 2.13, Article 3, Section 3.11, and Article 4, Section 4.02.	Dec. 13 1984		
Northwest Air Pollution Authority.	Regulations	455.11	Aug. 9, 1978	June 5, 1980	45 FR 37835
Spokane County Air Pollution Control Authority.	Regulation II	Article IV, Section 4.01.	Apr. 26, 1979	June 5, 1980	45 FR 37835

[52 FR 16245, May 4, 1987]

§ 52.2480 [Reserved]

§ 52.2481 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since a compliance schedule for control of sulfur oxides from a petroleum refinery has not been formally adopted and submitted.

(b) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are contained in the Washington Administrative Code (WAC) Title 18, unless otherwise noted.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Crown Zellerbach Corp	Port Townsend	WAC 18-38-030.	July 17, 1973	Immediately	June 30, 1975.
Do	Camas	WAC 18-38-030.	do	do	Do.
Weyerhaeuser Co	Longview	WAC 18-38-030.	do	do	Mar. 1, 1975.
Do	Everett	WAC 18-38-030.	do	do	Jan. 31, 1975.
St. Regis Paper Co	Tacoma	WAC 18-38-030.	do	do	Jan. 1, 1975.
Boise Cascade Papers	Wallula	WAC 18-38-030.	do	do	Do.
Longview Fibre Co	Longview	WAC 18-38-030.	do	do	Jan. 1, 1974.
Georgia Pacific Corp	Bellingham	WAC 18-38-030.	Dec. 18, 1972	do	Immediately.
Crown Zellerbach, Co	Camas	WAC 18-38-030.	July 17, 1973	do	July 1, 1974.
ITT Rayonier, Inc	Port Angeles	WAC 18-38-030.	do	do	July 17, 1973.
Do	Hoquiam	WAC 18-38-030.	do	do	July 1, 1974.
Weyerhaeuser Co	Everett	WAC 18-38-030.	Feb. 9, 1973	do	May 31, 1974.
Do	Longview	WAC 18-38-030.	July 17, 1973	do	Dec. 1, 1973.
Do	Cosmopolis	WAC 18-38-030.	do	do	July 1, 1974.

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Scott Paper Co	Everett	WAC 18-38-030.	...do	...do	Do.
Kaiser Aluminum & Chemical Corp.	Tacoma	WAC 18-52-030.	Dec. 18, 1972	...do	Sept. 1, 1974.
Do	Mead	WAC 18-52-030.	Jan. 22, 1973	...do	July 1, 1974.
Intalco Aluminum	Ferndale	WAC 18-52-030.	Dec. 18, 1972	...do	May 1, 1973.
Martin-Marietta Aluminum	Goldendale	WAC 18-52-030.	Feb. 9, 1973	...do	Sept. 30, 1973.
Reynolds Metal Co	Longview	WAC 18-52-030.	Dec. 18, 1972	...do	Nov. 1, 1974.
Aluminum Co. of America	Vancouver	WAC 18-52-030.	July 17, 1973	...do	Do.
Do	Wenatchee	WAC 18-52-030.	...do	...do	July 17, 1973.
Witco Chemical Corp	Quincy	WAC 18-04-060.	Feb. 9, 1973	...do	Feb. 28, 1974.
Lehigh Cement Co	Metaline Falls	WAC 18-04-060.	...do	...do	Dec. 31, 1974.
Shell Oil Co	Anacortes	NWAPA 2.12	...do	...do	Sept. 1, 1973.

(c) [Reserved]

(d) *Federal compliance schedules.* (1) Except as provided in paragraph (9) of this paragraph (d), the owner or operator of any petroleum refinery subject to the following emission limiting regulation in the Washington Implementation Plan shall comply with the compliance schedule in paragraph (2) of this paragraph (d): Northwest Air Pollution Authority, Regulation II, section 2.12, Paragraph E, where applicable (Appendix B of the Washington Implementation Plan).

(2) Compliance schedule for petroleum refineries.

(i) March 1, 1974—Complete onsite construction or installation of emission control equipment or process modification.

(ii) July 1, 1974—Achieve compliance with the applicable regulations, and certify such compliance to the Administrator.

(iii) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1974. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(iv) Within five days after the deadline for completing increments in paragraphs (d)(2) (ii) and (iii) in this section, certify to the Administrator whether the increment has been met.

(3) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the effected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of a compliance schedule in this paragraph fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

[38 FR 22751, Aug. 23, 1973, as amended a 38 FR 24342, Sept. 7, 1973; 51 FR 4067 40677, Nov. 7, 1986]

§ 52.2482 [Reserved]

§ 52.2483 Resources.

(a) The requirements of § 51.280 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

[38 FR 16569, June 22, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2484 [Reserved]

§ 52.2485 Inspection and maintenance program.

(a) Definitions:

(1) "Inspection and maintenance program" means a program for reducing emissions from in-use gasoline-powered vehicles through identifying vehicles that need emission-control-related maintenance and requiring that such maintenance be performed.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) All other terms used in this section that are defined in Part 51, Subpart G, of this chapter are used herein with the meanings so defined.

(b) This regulation is applicable to light- and medium-duty vehicles in all the counties that constitute the Puget Sound Intrastate Air Quality Control Region and the light-duty vehicles in the county of Spokane in the Eastern Washington-Northern Idaho Interstate Air Quality Control Region (hereafter referred to as the Regions).

(c) The State of Washington shall establish an inspection and maintenance program applicable to all light-duty and medium-duty vehicles registered in the Regions as specified in paragraph (b) of this section that operate on public streets or highways over which it has ownership or control. The State may exempt any class or category of vehicles that the State finds is rarely used on public streets or highways (such as classic or antique vehicles). No later than April 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulations shall include:

(1) Provisions for inspection of all light-duty and medium-duty motor vehicles at periodic intervals no more than 1 year apart by means of an idle-mode emission test.

(2) Provisions for inspection failure criteria consistent with the failure of 50 percent of the vehicles in the first inspection cycle.

(3) Provisions to ensure that failed vehicles receive maintenance to achieve compliance with the inspection standards. These shall include sanctions against individual owners and repair facilities; retest of failed vehicles following maintenance; use of a certification program to ensure that repair facilities performing the required maintenance have the necessary equipment, parts, and knowledgeable operators to perform the tasks satisfactorily; and use of such other measures as may be necessary or appropriate.

(4) A program of enforcement to ensure that vehicles are not intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them to no longer comply with the inspection standards. This enforcement program might include spot checks of idle adjustments and/or a suitable type of physical tagging. This program shall include appropriate penalties for violation.

(5) Provisions for beginning the first inspection cycle by August 1, 1975, and completing it by May 31, 1976.

(6) Designation of an agency or agencies responsible for conducting, overseeing, and enforcing the inspection and maintenance program.

(d) After May 31, 1976, the State shall not register or allow to operate on public streets or highways any light- or medium-duty vehicles that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(e) After May 31, 1976, no owner of a light-duty or medium-duty vehicle shall operate or allow the operation of such vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (c) of this section. This shall not apply to the initial registration of a new motor vehicle.

(f) The State of Washington shall submit, no later than February 1, 1974, a detailed compliance schedule showing the steps it will take to establish and enforce an inspection and maintenance program pursuant to paragraph (c) of this section, including:

(1) The text of needed statutory proposals and regulations that it will propose for adoption.

(2) The date by which the State will recommend needed legislation to the State legislature.

(3) The date by which necessary equipment will be ordered.

(4) A signed statement from the Governor or his designee identifying the sources and amounts of funds for the program. If funds cannot legally be obligated under existing statutory authority, the text of needed legislation shall be submitted.

[38 FR 32675, Nov. 27, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2486 Management of parking supply.

(a) Definitions:

(1) "Parking facility" (also called "facility") means a lot, garage, building or structure, or combination or portion thereof, in or on which motor vehicles are temporarily based.

(2) [Reserved]

(3) "Construction" means fabrication, erection, or installation of a parking facility, or any conversion of land, buildings, or structures, or portions thereof, for use as a facility.

(4) "Modification" means any change to a parking facility that increases or may increase the motor vehicle capacity of, or the motor vehicle activity associated with, such parking facility.

(5) "Commence" means to undertake a continuous program of on-site construction or modification.

(6) "Parking space" means any area or space below, above, or at ground level, open or enclosed, on-street or off-street, that is used for parking one motor vehicle at any time.

(7) "Residential parking facility" means a parking facility the use of which is limited exclusively to residents (and guests) of a residential building or group of buildings under common control and in which no commercial parking is permitted.

(8) "Seattle central business district" means the area enclosed by Yesler Way, the I-5 freeway, Eighth Avenue, Virginia Street, and the Alaska Way Viaduct. Streets forming boundaries (excluding the I-5 freeway and the Alaska Way Viaduct) shall be part of the central business district (CBD).

(9) "Spokane central business district" means the area enclosed by Trent Avenue, Monroe Street, Third Avenue, and Division Street. Streets forming boundaries shall be part of the central business district.

(b) This section shall be applicable in the Seattle and Spokane CBD's.

(c)-(e) [Reserved]

(f) All applications for approval under this section shall include the following information:

(1) Name and address of the applicant.

(2) Location and description of the parking facility.

(3) A proposed construction schedule.

(4) [Reserved]

(5) The total motor vehicle capacity before and after the construction or modification of the facility.

(6) Additional information, plans, specifications, or documents required by the Administrator.

(g)-(h) [Reserved]

(i) Each application shall be signed by the owner or operator of the facility, whose signature shall constitute an agreement that the facility shall be operated in accordance with the information submitted in the application and with applicable rules, regulations, and permit conditions.

(j)-(k) [Reserved]

(l) There shall be no increase in th number of non-residential parkin spaces within the Seattle and Spokan CBD above the number present as o November 19, 1973. Any parking facil ty which provides or would provide w hicular ingress or egress to or from a street forming a boundary of a CBD shall be considered included within such CBD. Any parking facility beneath a street forming a boundary shall be considered to be included within such CBD.

(m) On a semiannual basis, beginning February 15, 1974, the city of Seattle and the city of Spokane shall report to the Administrator the total number of non-residential and the total number of residential on-street and off-street parking spaces in their respective CBD's. Thereafter, such cities shall report any reduction in the number of such parking spaces to the Administrator.

(n) No person or entity, after November 19, 1973, shall commence construction or modification of any new non-residential parking facility in the Seattle or Spokane CBD, nor shall any person or entity take any action having the effect of creating new non-residential parking spaces in such CBD, unless and until such person or entity has obtained from the Administrator or from an agency approved by the Administrator a permit stating that construction, modification, or enlargement of such facility will be in compliance with paragraph (l) of this section.

(o) By May 31, 1974, each owner or operator of any parking facility located within the Seattle and Spokane CBD shall reserve 10 percent of the parking spaces in such facility for vehicles transporting three or more occupants between the hours of 7 a.m. to 7 p.m., Monday through Friday, excluding legal holidays. On or before March 1, 1974, each such owner or operator shall submit to the Administrator a detailed compliance schedule showing the steps it will take to assure compliance with this paragraph.

(p) The city of Seattle and the city of Spokane shall report to the Administrator on a semiannual basis beginning August 15, 1974, the average daily occupancy of the spaces reserved for vehicles transporting three or more occupants.

(q) Notwithstanding any of the foregoing provisions to the contrary, the operation of this paragraph is hereby suspended pending further notice.

[39 FR 40857, Nov. 21, 1974, as amended at 42 FR 38355, July 28, 1977]

§§ 52.2487—52.2488 [Reserved]

§ 52.2489 Reduction in parking spaces.

(a) Definitions:

(1) "Seattle central business district" means the area enclosed by Yesler Way, the I-5 freeway, Eighth Avenue, Virginia Street, and the Alaska Way Viaduct. Streets forming boundaries (excluding the I-5 freeway and the Alaska Way Viaduct) shall be part of the CBD.

(2) "Spokane central business district" means the area enclosed by Trent Avenue, Monroe Street, Third Avenue, and Division Street. Streets forming boundaries shall be part of the central business district.

(3) Terms used in this section that are defined in § 52.2486 are used herein with the meanings so defined.

(b) This section is applicable in the Seattle and Spokane central business districts (CBD). Any parking facility that provides or would provide vehicular ingress or egress to or from a street forming a boundary of a CBD shall be considered included within such CBD. Any parking facility beneath a street forming a boundary shall be considered included within such CBD.

(c) This section shall be effective in the Seattle central business district only if average daily vehicle miles traveled in such CBD for the months of February and March 1977 have not been reduced by 15 percent from such average for the months of February and March, 1974, and shall be effective in the Spokane central business district only if average daily vehicle miles traveled in such CBD for the months of February and March 1977 have not been reduced by 10 percent from such average for the months of February and March 1974. Such determination shall be made in accordance with the monitoring requirements of § 52.2477(c) of this chapter.

(d) By May 31, 1977, each owner or operator of any non-residential parking facility located within the Seattle or Spokane central business districts shall reduce the number of parking spaces available during the period of 7:00 a.m. to 10:00 a.m. on Monday through Friday (excluding legal holidays) by 20 percent from the number in existence as of January 1, 1977.

(e) By May 1, 1977, each governmental entity and private party owning, controlling, or operating a non-residential parking facility within the Seattle or Spokane central business districts shall report to the Administrator the number of parking spaces under its ownership or control and the average number of such parking spaces occupied by 10:00 a.m. on Monday through Friday (excluding legal holidays).

(f) By May 1, 1977, each owner or operator of a non-residential parking facility within the Seattle or Spokane central business districts shall submit to the Administrator a detailed compliance schedule showing the steps it will take to achieve the reduction in parking spaces required by paragraph (d) of this section. Such schedule shall include but not be limited to designation of the space eliminated pursuant to this section in some manner obvious to the public (such as blocking off entire floors, painting over or roping off spaces, or replacing space with bicycle racks or plantings).

(g) After the reduction required by paragraph (d) of this section is in effect, each owner or operator of any parking facility located within the Seattle or Spokane central business districts shall continue to reserve for vehicles transporting three or more occupants the same number of spaces such owner or operator was required to reserve pursuant to § 52.2486(o).

(h) The City of Seattle and the City of Spokane shall report to the Administrator on a semiannual basis beginning August 15, 1977, in a manner to be prescribed by the Administrator, average daily occupancy of parking facilities.

(i) Notwithstanding any of the foregoing provisions to the contrary, the operation of this paragraph is hereby suspended until further notice.

[38 FR 32677, Nov. 27, 1973, as amended at 42 FR 38355, July 28, 1977]

§ 52.2490 Air bleed to intake manifold retrofit.

(a) Definitions:

(1) "Air bleed to intake manifold retrofit" means a system or device (such as modification to the engine's carburetor) that results in engine operation at an increased air-fuel ratio so as to achieve reduction in exhaust emissions of hydrocarbon and carbon monoxide from 1967 and earlier light-duty vehicles of at least 21 and 58 percent, respectively, and from 1973 and earlier medium-duty vehicles of at least 15 and 30 percent, respectively.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) "Medium-duty vehicle" means a gasoline-powered motor vehicle rated at more than 6,000 lb GVW and less than 10,000 lb GVW.

(4) All other terms used in this section that are defined in Part 51, Appendix N, of this chapter are used herein with meanings so defined.

(b) This section is applicable to light-and medium-duty vehicles in all the counties that constitute the Puget Sound Intrastate Air Quality Control Region and is applicable to light-duty vehicles in the county of Spokane in the Eastern Washington-Northern Idaho Interstate Air Quality Control Region (hereafter referred to as the Regions).

(c) The State of Washington shall establish a retrofit program to ensure that on or before May 31, 1976, all light-duty vehicles of model years prior to 1968, and medium-duty vehicles of model years prior to 1974, registered in the Regions as specified in paragraph (b) of this section ar equipped with an appropriate air blee to intake manifold device. No late than February 1, 1974, the State o Washington shall submit to the A ministrator a detailed complian schedule showing the steps it will ta to establish and enforce a retrofit pr gram pursuant to this section, inclu ing the text of statutory propos regulations, and enforcement pro dures that the State proposes adoption. The compliance sched shall also include a date by which State shall evaluate and approve vices for use in this program. S date shall be no later than Septen 30, 1974.

(d) No later than April 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulation shall include:

(1) Designation of an agency responsible for evaluating and approving such devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the air bleed devices by August 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1976.

(4) A provision that starting no later than May 31, 1976, no vehicle for which retrofit is required under this section shall pass the annual emission tests provided for by § 52.2485 unless it has been first equipped with an approved air bleed to intake manifold device, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(e) After May 31, 1976, the State shall not register or allow to operate on its streets or highways any gasoline-powered vehicle that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

[38 FR 32677, Nov. 27, 1973]

§ 52.2491 Exhaust gas recirculation-air bleed.

(a) Definitions:

(1) "Exhaust gas recirculation (EGR)-air bleed" means a system or device (such as modification of the engine's carburetor or positive crankcase ventilation system) that results in engine operation at an increased air-fuel ratio so as to achieve reductions in exhaust emissions of hydrocarbons and carbon monoxide of 25 percent and 40 percent, respectively, from light-duty vehicles of model years 1968–1970.

(2) "Light-duty vehicle" means a gasoline-powered motor vehicle rated at 6,000 lb gross vehicle weight (GVW) or less.

(3) All other terms used in this section that are defined in Part 51, Subpart G, of this chapter are used herein with the meanings so defined.

(b) This section is applicable in all the counties that constitute the Puget Sound Intrastate Air Quality Control Region and in the county of Spokane in the Eastern Washington-Northern Idaho Interstate Air Quality Control Region (hereafter referred to as the Regions).

(c) The State of Washington shall establish a retrofit program to ensure that on or before May 31, 1976, all gasoline-powered, light-duty vehicles of model years 1968–1970, inclusive, operated on public streets and highways in the areas defined in paragraph (b) of this section, are equipped with an appropriate EGR-air bleed device. No later than February 1, 1974, the State of Washington shall submit to the Administrator a detailed compliance schedule showing the steps it will take to establish and enforce a retrofit program pursuant to this section, including the text of statutory proposals, regulations, and enforcement procedures that the State proposes for adoption. The compliance schedule shall also include a date by which the State shall evaluate and approve devices for us in this program. Such date shall be no later than September 30, 1974.

(d) No later than April 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a program. The regulation shall include:

(1) Designation of an agency responsible for evaluating and approving such devices for use on vehicles subject to this section.

(2) Designation of an agency responsible for ensuring that the provisions

of paragraph (d)(3) of this section are enforced.

(3) Provisions for beginning the installation of the EGR-air bleed devices by August 1, 1975, and completing the installation of the devices on all vehicles subject to this section no later than May 31, 1976.

(4) A provision that starting no later than May 31, 1976, no vehicle for which retrofit is required under this section passes the annual emission test provided for by § 52.2485 unless it has been first equipped with an approved EGR-air bleed device, which the test has shown to be installed and operating correctly. The regulations shall include test procedures and failure criteria for implementing this provision.

(5) Methods and procedures for ensuring that those installing the retrofit devices have the training and ability to perform the needed tasks satisfactorily and have an adequate supply of retrofit components.

(e) After May 31, 1976, the State shall not register or allow to operate on its streets or highways any gasoline-powered, light-duty vehicle subject to this section that does not comply with the applicable standards and procedures adopted pursuant to paragraph (d) of this section.

(f) After May 31, 1976, no owner of a vehicle subject to this section shall operate or allow the operation of any such vehicle that does not comply with the applicable standards and procedures implementing this section.

[38 FR 32678, Nov. 27, 1973, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2492 Computer carpool matching system.

(a) Definitions:

(1) "Carpool matching" means assembling lists of commuters whose daily travel plans indicate they might carpool with each other and making such lists available to such commuters to aid them in forming carpools.

(2) "Computer-aided carpool matching" means a carpool matching system in which the work of assembling lists of commuters with similar daily travel patterns is done by computer.

(b) This section is applicable in all counties included in the Puget Sound Intrastate Air Quality Control Region and in the county of Spokane in the Eastern Washington-Northern Idaho Interstate Air Quality Region.

(c) By January 15, 1974, the State of Washington shall submit to the Administrator a compliance schedule showing the steps it will take, and a timetable for such steps, to develop a computerized carpool matching system pursuant to the provisions of paragraph (d) of this section.

(d) Beginning April 1, 1974, the State of Washington shall establish a computer-aided carpool matching system that is conveniently available to all employees of employers having more than 10 employees and to all students of colleges and universities within the areas designated in paragraph (b) of this section. No later than March 1, 1974, the State shall submit legally adopted regulations to the Administrator establishing such a system. The regulations shall include:

(1) A method of collecting information that will include the following as a minimum:

(i) Provisions for each affected employee or student to receive an application form with a cover letter describing the matching program.

(ii) Provisions on each application for the applicant to identify home and work locations, and time of daily departure from each, and the applicant's desire to drive only, ride only, or share driving.

(2) A computer method of matching information that will have provisions for locating each applicant's origin and destination within a grid system covering the areas to and from which affected employees commute and for matching applicants in the same origin and destination grids with compatible travel schedules.

(3) A method for providing continuing service such that the master list of all applicants is retained and available for use by new applicants, applications are currently available, and the master list is periodically updated to remove applicants who have moved from the area served.

(4) An agency or agencies responsible for operating, overseeing, and maintaining the carpool computer matching system.

(e) By September 30, 1974, the State shall submit to the Administrator a progress report indicating the number of persons utilizing the program and any revision made or to be made in the program.

[38 FR 32678, Nov. 27, 1973]

§ 52.2493 Transit improvement measures.

(a) Definitions:

(1) "Transit improvement measures" means those actions or combinations of actions taken by the Metropolitan Transit Division of the Municipality of Metropolitan Seattle (METRO) and the city of Spokane to promote the attractiveness and increased use of public mass transit systems.

(2) "Park and ride lot" means a parking facility for the parking of private automobiles and bicycles of mass transit users.

(3) "Seattle central business district" means the area enclosed by Yesler Way, the I-5 freeway, Eighth Avenue, Virginia Street, and the Alaska Way Viaduct. Streets forming boundaries (excluding the I-5 freeway and the Alaska Way Viaduct) shall be part of the central business district.

(4) "Spokane central business district" means the area enclosed by Trent Avenue, Monroe Street, Third Avenue, and Division Street. Streets forming boundaries shall be part of the central business district.

(5) "Exclusive bus lane" means a lane on a street or highway for the exclusive use of buses, whether constructed especially for that purpose or converted from an existing lane.

(6) "Downtown transit service" means regularly scheduled transit operation directly to a central business district.

(7) "Magic carpet project" means the 1-year experimental program supported by the City of Seattle and METRO of free fare transit service in the area bounded by Western Avenue, Stewart Street, Sixth Avenue, and Jackson Street as funded and authorized by City Council Resolution 102452 and METRO Council Resolution 1926.

(b) The following transit improvement measures shall be implemented by the City of Seattle and METRO:

(1) METRO shall complete at least eight park and ride lots, with a combined vehicular capacity of at least 5,000, by May 31, 1975, and additional lots with a capacity of 2,000 by May 31, 1976. No such park and ride lot shall be closer than 0.5 mile to any boundary of the Seattle central business district.

(i) METRO shall provide downtown transit service at each park and ride lot required by paragraph (b)(1) of this section.

(ii) METRO shall submit to the Administrator for his approval no later than May 31, 1974, a detailed compliance schedule showing the steps it will take to establish the park and ride lots required by this paragraph. The schedule shall contain at a minimum the following:

(*a*) Proposed location and vehicular capacity of each lot;

(*b*) Proposed dates for acquisition of land and initiation of operation;

(*c*) Necessary interagency agreements to implement the measure; and

(*d*) A statement signed by the Executive Director of METRO identifying the sources and amount of funds for each project.

(iii) On June 30, 1974, and on a semiannual basis thereafter, the Executive Director of METRO shall report to the Administrator the progress made in implementation of the measure. Such reports shall contain, as a minimum, data on increased ridership on downtown transit service and number of vehicles using each lot.

(2) The City of Seattle and METRO shall continue the Magic Carpet Project at least until September 8, 1974. The City of Seattle and METRO shall report to the Administrator on January 30, 1974, and June 30, 1974, the daily average increased ridership in the Magic Carpet Project zone and any other information available to substantiate the effectiveness of this measure.

(3) The City of Seattle shall establish at least one exclusive bus lane running in each direction on Second Avenue and on Fourth Avenue from Denny Street to Jackson Street by January 1, 1975, or, upon obtaining the approval of the Administrator, shall establish other exclusive bus lanes within the Seattle central business district containing at least an

equivalent number of miles to the system hereinbefore specified.

(i) The City of Seattle shall submit no later than January 30, 1974, a detailed compliance schedule showing the steps it will take to establish these bus lanes and to enforce the limitations on their use. The schedule shall provide for the following:

(*a*) Exclusive bus lanes prominently indicated by distinctive painted lines, pylons, or physical barriers and signs.

(*b*) Proposed ordinances or regulations to prohibit motor vehicles other than buses from operating on any exclusive bus lane. Exemptions may be specified for emergency vehicles.

(c) A signed statement by the Mayor of the City of Seattle or his designee identifying the sources and amount of funds.

(4) No later than May 31, 1974, the City of Seattle shall submit to the Administrator legally adopted regulations to implement and enforce the provisions of this paragraph.

(c) The following transit improvement measures shall be implemented by the City of Spokane:

(1) The City of Spokane shall complete at least six park and ride lots with a combined vehicular capacity of at least 2,000 by May 31, 1975. No such park and ride lot shall be closer than 0.5 mile to any boundary of the Spokane central business district.

(i) The City of Spokane shall provide downtown transit service at each park and ride lot required by paragraph (c)(1) of this section.

(ii) The City of Spokane shall submit to the Administrator for his approval, no later than May 31, 1974, a detailed compliance schedule showing the steps it will take to establish the park and ride lots required by this paragraph. The schedule shall contain at a minimum the following:

(*a*) Proposed location and vehicular capacity of each lot;

(*b*) Proposed dates for acquisition of land and initiation of operation;

(*c*) Necessary interagency agreements to implement the measure; and

(*d*) A statement signed by the Mayor of the City of Spokane identifying the source and amount of the funds for each project.

(iii) On June 30, 1974, and on a semiannual basis thereafter, the City of Spokane shall report to the Administrator the progress made in implementation of the measure. Such reports shall contain, as a minimum, data on increased ridership on downtown transit service and number of vehicles using each lot.

[38 FR 32679, Nov. 27, 1973]

§ 52.2494 Bike lanes and bike racks.

(a) Definitions:

(1) "Spokane central business district (CBD)" means the area enclosed by Trent Avenue, Monroe Street, Third Avenue, and Division Street. Streets forming boundaries shall be part of the central business district.

(2) "Bicycle" means a nonmotor-powered, 2-wheeled vehicle.

(3) "Bicycle-lane" means a route for the exclusive use of bicycles, whether constructed especially for that purpose or converted from an existing traffic lane.

(b) This section is applicable in the City of Spokane in the Eastern Washington-Northern Idaho Interstate Air Quality Control Region. Any parking facility that provides vehicular ingress or egress to or from a street forming a boundary of the CBD shall be considered included within the CBD.

(c) By May 31, 1975 the City of Spokane shall provide a two-way network of bicycle lanes in the following corridors:

(1) Approximately 4 miles of continuous two-way bicycle lanes from within 0.5 mile of the intersection of Haven Street and Wellesley Avenue to the Spokane CBD.

(2) Approximately 4 miles of continuous two-way bicycle lanes from within 0.5 mile of the intersection of 29th Avenue and Regal Street to the Spokane CBD.

(3) Approximately 4 miles of continuous two-way bicycle lanes from within 0.5 mile of the intersection of 29th Avenue and Madison Street to the Spokane CBD.

(4) Approximately 3 miles of continuous two-way bicycle lanes from within 0.5 mile of the intersection of Sprague Avenue and Freya Street to the Spokane CBD.

(5) Approximately 3 miles of continuous two-way bicycle lanes from within 0.5 mile of the intersection of Driscoll Boulevard and Garland Street to the Spokane CBD.

(6) Approximately 4 miles of continuous two-way bicycle lanes from within 0.5 mile of the intersection of Nevada Street and Wellesley Avenue to the Spokane CBD.

(d) By May 31, 1974, the City of Spokane shall submit to the Administrator, a detailed compliance schedule that shall, at a minimum, specify:

(1) The names of streets that will provide exclusive bicycle lanes and the location of any lanes to be constructed especially for bicycle use.

(2) The schedule on which the system of bicycle lanes will be established. The schedule must, at a minimum, provide for establishing 25 percent of the total mileage by September 30, 1974; 50 percent by March 31, 1975; and 100 percent by May 31, 1975.

(3) That each lane shall be at least 5 feet wide if the lanes are to be on opposite sides of the street to provide for two-way travel, or 10 feet wide if the lane for two-way travel is to be on one side of the street only. Any lane constructed for exclusive bicycle use pursuant to this section shall provide an all-weather, hard, smooth surface and shall conform to the foregoing width specifications.

(4) The methods to be used to clearly designate the bicycle lanes as being reserved for the exclusive use of bicycles (such as painted lines, pylons, or physical barriers and appropriate signs).

(5) A statement signed by the Mayor of Spokane indicating the source, amount, and adequacy of the funds to be used for carrying out the provisions of this section.

(e) No later than April 30, 1974, the City of Spokane may propose alternative corridors to those named in paragraph (c) of this section for the Administrator's approval. The Administrator shall not approve any such alternatives unless he finds that the resulting mileage of bicycle lanes will at least equal the mileage established by paragraph (c) of this section, and that the same areas are served by such alternatives.

(f) No later than July 31, 1974, the City of Spokane shall submit to the Administrator legally adopted regulations sufficient to implement and enforce all of the provisions of this section.

(g) No later than May 31, 1975, every owner and operator of a parking facility (as defined in § 52.2486) within the Spokane central business district shall provide bicycle parking or storage spaces at such facility. At each such facility, the number of bicycle spaces provided shall be at least equal to 4 percent of the number of automobile parking spaces contained within such facility. Each bicycle space must be equipped with a device whereby the bicycle can be secured to it. For purposes of this paragraph, any parking facility that provides vehicular ingress or egress to or from a street forming a boundary of the CBD shall be considered included within the CBD.

[38 FR 22679, Nov. 27, 1973]

§ 52.2495 [Reserved]

§ 52.2496 Maintenance of national standards.

(a) The areas listed below which were determined by the State of Washington are hereby identified by the Administrator pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857(h)(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Puget Sound Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

The Washington State Department of Highways Seattle-Tacoma Urban Area-1972. (A complete geographical description of the area is presented in a map of the Seattle-Tacoma Urban Area-1972 prepared by the

Washington State Highway Department and available for inspection at the Freedom of Information Center, U.S. EPA Room 206, 401 M Street SW., Washington, D.C.; the U.S. EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington; and the Washington Department of Ecology Headquarters Office, St. Martin's College, Olympia, Washington.)

(2) Spokane Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Spokane Regional Planning Conference Study Area—1968. (A complete geographic description of the area is presented in the Spokane Metropolitan Area Regional Comprehensive Plan Map, dated October 22, 1963, prepared by the Spokane Regional Planning Conference and available for inspection at the Freedom of Information Center, U.S. EPA, Room 206, 401 M Street SW., Washington, D.C.; the U.S. EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington; and the Washington Department of Ecology Headquarters Office, St. Martin's College, Olympia, Washington.)

(3) Portland-Vancouver Interstate Air Quality Maintenance Area (Washington Portion).

(i) Pollutants for which the area is identified: Particulate matter, sulfur dioxide, carbon monoxide, and photochemical oxidants.

(ii) Geographical composition of area:

The Columbia Region Association of Governments—1970 Portland-Vancouver Metropolitan Transportation Study Area. (A complete geographical description of the area is presented in a map of the 1970 Portland-Vancouver Metropolitan Study Area prepared by the Columbia Region Association of Governments and available for inspection at the Freedom of Information Center, U.S. EPA, Room 206, 401 M Street SW., Washington, D.C.; the U.S. EPA Region X Office, 1200 Sixth Avenue, Seattle, Washington; and the Washington Department of Ecology Headquarters Office, St. Martin's College, Olympia, Washington.)

[40 FR 18736, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2497 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Washington.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.2498 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility new source review. The provisions of § 52.28 are hereby incorporated and made a part of the applicable plan for the State of Washington.

[51 FR 23228, June 26, 1986]

Subpart XX—West Virginia

§ 52.2520 Identification of plan.

(a) Title of plan: "State of West Virginia Implementation Plan to Achieve and Maintain Air Quality Standards for Particulates, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, Hydrocarbons, and Oxidants."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Addition to the plan regarding legal authority to enforce State laws in the City of Wheeling submitted on March 30, 1972, by the West Virginia Air Pollution Control Commission.

(2) Addition to the plan clarifying Resources section of SIP submitted April 20, 1972, by the West Virginia Air Pollution Control Commission.

(3) Revision to plan regarding "Permit to Construct" rule, Regulation XIII of the West Virginia Air Pollution Control Regulations, submitted May 5, 1972, by the West Virginia Air Pollution Control Commission.

(4) Revision to the plan allowing John E. Amos power plant variance t sulfur-in-fuel regulations submitted

November 14, 1973, by the West Virginia Air Pollution Control Commission.

(5) AQMA designations were submitted on June 13, 1974, by the Governor of West Virginia.

(6) Indirect Source Review plan submitted on June 17, 1974, by the West Virginia Air Pollution Control Commission.

(7) Particulate matter regulation for Primary aluminum plants submitted on November 8, 1974, by the West Virginia Air Pollution Control Commission.

(8) Deletion of secondary annual and 24 hour sulfur dioxide standards from Regulation VIII submitted on March 16, 1976 by the Governor of West Virginia.

(9) Amendments to regulation X (to prevent and control air pollution from the emission of sulfur oxides) (section 2.07 added), section 2.08 (former section 2.07), section 2.09 (former section 2.08), section 2.10 (former section 2.09), section 2.11 (former section 2.10), section 2.12 (former section 2.11), section 2.13 (former section 2.12), section 2.14 (former section 2.13), section 2.15 (former section 2.14), section 2.16 (former section 2.15), section 3.01 is superseded by new section 3.01 except section 3.01(1) Kammer Power Station which retains the old section 3.01(a), section 3.02 is replaced by new section 3.02, section 3.03 is superseded by new section 3.03 except for section 3.03(2) Rivesville Power Station, which retains the old section 3.03(a) and section 3.01(b), section 3.03(1) (Harrison Power Plant) is approved as an interim emission limitation only, sections 3.05, 3.06, and 3.07 (added), section 3.08 (former section 3.05), section 6.01 is superseded by new section 6.01, new section 10 is added, section 11 (replaces former section 10) of the West Virginia Administrative Regulations submitted on January 25, 1978 (as amended September 13, 1978), by the Governor.

(10) Revised plans for attaining primary air quality standards for TSP and SO_2 submitted to EPA by the Governor of West Virginia on June 18, 1979. These plans are contained in a document entitled, "Revisions to the State Implementation Plan to Achieve and Maintain Air Quality Standards for Particulates, Sulfur Oxides, and Ozone."

(11) Revised plan for attaining the ozone standard submitted to EPA by the Governor of West Virginia on November 21, 1979.

(12) Revised Regulations III and VIII, and new Regulations XXI, XXIII, and XXIV, submitted to EPA by the Governor of West Virginia on December 19, 1979.

(13) Amended Sections 3.01(2) and 3.03(1) of Regulation X (to prevent and control air pollution from the emission of sulfur oxides), submitted on January 25, 1978 and amended September 13, 1978 by the Governor.

(14) Amended Regulations VI and VII, and an Identification and Analysis of the Impact of the 1979 West Virginia State Implementation Plan, submitted by the Governor of West Virginia on June 13, 1980.

(15) An Implementation Plan for lead submitted by the Governor of West Virginia on June 13, 1980, and supplementary information subsequently submitted to show that lead sources would be subject to new source review.

(16) Test Procedure for Quantifying Emissions From Bulk Gasoline Loading Terminals, submitted by the Governor of West Virginia on November 6, 1980.

(17) West Virginia's plans for attaining the secondary National Ambient Air Quality Standard for total suspended particulate submitted by the Governor of West Virginia on November 14, 1980.

(18) The consent order allowing alternative emission limitations for the Mountaineer Carbon Company, Moundsville, West Virginia, submitted on July 2, 1982 by the West Virginia Air Pollution Control Commission.

(19) Consent Order dated July 6, 1982 between National Steel Corporation, Weirton Steel Division and the West Virginia Air Pollution Control Commission submitted on July 6, 1982 by Mr. Donald R. Richardson providing for an alternate emission control plan (bubble) for the Weirton, West Virginia steel mill.

(20) Amended Regulation VII of the West Virginia Air Pollution Control

Regulations submitted by the West Virginia Air Pollution Control Commission on April 29, 1983.

(21) A revision submitted by the State of West Virginia on November 4, 1983 which establishes an Ambient Air Quality Monitoring Network.

(22) Amended Regulation XIX of the West Virginia Air Pollution Control Regulations submitted by the West Virginia Air Pollution Control Commission on April 29, 1983.

(23) Regulation XIV (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration) and a commitment letter submitted on June 13, 1984, and December 16, 1985, respectively, by the Chairman of the West Virginia Air Pollution Control Commission.

(i) Incorporation by reference

(A) Regulation XIV (Permits for the Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration) adopted by the State of West Virginia on June 14, 1984.

(B) Letter of December 16, 1985, in which the West Virginia Air Pollutant Control Commission committed to comply with the July 8, 1985 rulemaking notice concerning stack heights in its PSD permitting.

[37 FR 10901, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2520, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2521 Classification of regions.

The West Virginia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Steubenville-Weirton-Wheeling Interstate	I	I	III	III	II
Parkersburg-Marietta Interstate	I	II	III	III	II
Huntington-Ashland-Portsmouth-Ironton Interstate	I	III	III	III	II
Kanawha Valley Intrastate	I	III	III	III	II
Southern West Virginia Intrastate	III	III	III	III	II
North Central West Virginia Intrastate	I	III	III	III	II
Cumberland-Keyser Interstate	I	I	III	III	II
Central West Virginia Intrastate	III	III	III	III	II
Allegheny Intrastate	III	III	III	III	II
Eastern Panhandle Intrastate	III	III	III	III	II

[37 FR 10902, May 31, 1972]

§ 52.2522 Approval status.

With the exceptions set forth below in this subpart, the Administrator approves West Virginia's plan for the attainment and maintenance of the national standards.

(a) The Consent Order submitted July 6, 1982 by the West Virginia Air Pollution Control Commission for the Weirton, WV plant of National Steel Corporation is approved for a period of three years to July 6, 1985 at which time the affected sources will have to comply with the applicable West Virginia State Implementation Plan requirements.

(b) The Administrator approves the deletion of the provisions found in section 3.03(b) of regulation X except as it applies to the Rivesville plant, Monongahela Power Co.

(c) The Administrator hereby extends the interim limitation of 5.1 lbs. SO_2 per million BTU for the Harrison power plant until a permanent emission limitation is approved.

(d) In addition, continued satisfaction of the requirements of Part D for ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued be-

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tween January 1978 and January 1979 and the adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(e) The Administrator approves the amended Sections 3.01(2) and 3.03(1) of West Virginia Air Pollution Control Commission Regulation X submitted January 25, 1978 and amended September 13, 1978, as a plan for attainment of the primary SO_2 NAAQS. The Administrator does not approve the State's control strategy for attainment and maintenance of the secondary SO_2 NAAQS submitted on those dates, so far as it applies to the Mitchell and Harrison power stations.

[38 FR 16170, June 20, 1973, as amended at 45 FR 39255, June 10, 1980; 45 FR 54051, Aug. 14, 1980; 45 FR 74480, Nov. 10, 1980; 47 FR 55396, Dec. 9, 1982]

§ 52.2523 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in West Virginia's plan.

[See footnotes at end of table]

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Steubenville-Weirton-Wheeling Interstate:							
a. New Manchester-Grant Magisterial District in Hancock County	[1]a	[2]e	[1]g	[2]g	[4]h	[4]h	[4]h
b. Wellsburg Magisterial District in Brooke County	[1]a	[2]e	[1]b	[2]c	[4]h	[4]h	[4]h
c. Remainder of AQCR	[1]a	[2]i	[1]b	[2]c	[4]h	[4]h	[4]h
Parkersburg-Marietta Interstate:							
a. Parkersburg-Tygart Magisterial District in Wood County	[1]b	[2]i	[1]b	[2]c	[4]h	[4]h	[4]h
b. Remainder of AQCR	[3]b	[2]c	[3]b	[2]c	[4]h	[4]h	[4]h
Huntington-Ashland Portsmouth-Ironton Interstate	[1]b	[2]c	[4]b	[4]c	[4]h	[4]h	[4]h
Kanawha Valley Intrastate:							
a. Kanawha County	[1]b	[3]e	[4]b	[4]c	[4]h	[4]h	[4]i
b. Remainder of AQCR	[1]b	[2]c	[4]b	[4]c	[4]h	[4]h	[4]h
Southern West Virginia Intrastate:							
a. Valley Magisterial District in Fayette County	[4]b	[4]e	[4]b	[4]c	[4]h	[4]h	[4]h
b. Remainder of AQCR	[4]b	[4]c	[4]b	[4]c	[4]h	[4]h	[4]h
North Central West Virgina Intrastate:							
a. In Marion County, all portions of Union and Winfield Magisterial Districts west of Intrastate Highway I-79	[1]d	[2]e	[4]b	[4]c	[4]h	[4]h	[4]h
b. Remainder of AQCR	[1]b	[2]c	[4]b	[4]c	[4]h	[4]h	[4]h
Cumberland-Keyser Intrastate	[3]b	[2]c	[1]b	[2]c	[4]h	[4]h	[4]h
Central West Virginia	[4]b	[4]c	[4]b	[4]c	[4]h	[4]h	[4]h
Allegheny Intrastate	[4]b	[4]c	[4]b	[4]c	[4]h	[4]h	[4]h
Eastern Panhandle Intrastate	[4]b	[4]c	[4]b	[4]c	[4]h	[4]h	[4]h

a. December 31, 1982.

b. Air quality levels presently below primary standards or area is unclassifiable.

c. Air quality levels presently below secondary standards or area is unclassifiable.

d. December 31, 1980.

e. Plan for attaining secondary standards not yet submitted.

f. Plan for attaining primary standards not yet submitted.

g. Attainment expected as soon as the Sammis Power Plant meets the SO_2 limitations in the Ohio State Implementation Plan.

h. Air quality levels presently better than National Standards or area is unclassifiable.

i. This is a rural nonattainment area.

[1] Attainment date in 1972 plan was June 1975.

[2] Attainment date in 1972 plan was June 1977.

[3] Attainment date in 1972 plan was June 1978.

[4] Listed as attainment area in 1972 plan.

NOTE: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2523 (1978).

[37 FR 10902, May 31, 1972, as amended at 45 FR 54052, Aug. 14, 1980]

§ 52.2524 Compliance schedules.

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) Federal compliance schedules. (1) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the emission limitation requirements of West Virginia Administrative Regulations, Chapter 16-20, Series X (hereinafter regulation X), section 3.01(a) or section 3.03(a), shall notify the Administrator, no later than October 1, 1973, of his intent to meet the requirements of said regulation by utilizing low-sulfur fuel, stack gas desulfurization, or a combination of stack gas desulfurization and low-sulfur fuel.

(2) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize low-sulfur fuel, either alone or in combination with stack gas desulfurization, shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on June 30, 1975, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) May 15, 1974—Initiate onsite modifications, if applicable.

(vi) February 28, 1975—Complete onsite modifications, if applicable.

(vii) June 30, 1975—Final compliance with the requirements of regulation X, section 3.01(a) or section 3.03(a).

(3) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize stack gas desulfurization, either alone or in combination with low-sulfur fuel, and any owner or operator of a stationary source subject to the emission limitation requirements of regulation X, section 3.05, shall be subject to the following compliance schedule:

(i) October 15, 1973—Let necessary contracts for construction.

(ii) February 28, 1974—Initiate onsite construction.

(iii) February 28, 1975—Complete onsite construction.

(iv) June 30, 1975—Final compliance with the requirements of regulation X, section 3.01(a), section 3.03(a), or section 3.05.

(4) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the emission limitation requirements of regulation X, section 3.01(b) or section 3.03(b) shall notify the Administrator, no later than July 31, 1975, of his intent to meet the requirements of said regulation by utilizing low-sulfur fuel, stack gas desulfurization, or a combination of stack gas desulfurization and low-sulfur fuel.

(5) Any owner or operator of a stationary source subject to paragraph (b)(4) of this section who elects to utilize low-sulfur fuel, either alone or in combination with stack gas desulfurization, shall be subject to the following compliance schedule:

(i) August 31, 1975—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on June 30, 1978, and for at least one year thereafter, as well as a statement as to whether boiler modifications will be required. Submit final plans for modifications if they will be required

(ii) October 31, 1975—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) December 31, 1975—Let contracts for necessary boiler modifications, if applicable.

(iv) April 30, 1976—Initiate onsite modifications, if applicable.

(v) April 30, 1977—Complete onsite modifications, if applicable.

(vi) June 30, 1978—Final compliance with the requirements of regulation X, section 3.01(b) or section 3.03(b).

(6) Any owner or operator of a stationary source subject to paragraph (b)(4) of this section who elects to utilize stack gas desulfurization, either alone or in combination with low-sulfur fuel, shall be subject to the following compliance schedule:

(i) October 30, 1975—Submit to the Administrator a final control plan, which describes at a minimum the steps which will be taken by the source to achieve compliance with the applicable regulations.

(ii) February 28, 1976—Let necessary contracts for construction.

(iii) August 31, 1976—Initiate onsite construction.

(iv) December 31, 1977—Complete onsite construction.

(v) June 30, 1978—Final compliance with the requirements of regulation X, section 3.01(b) or section 3.03(b).

(7) Any owner or operator subject to the compliance schedule in paragraph (b) (2), (3), (5) or (6) of this section shall certify to the Administrator within five days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(8) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by the final compliance date in the applicable regulation. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(9) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(iv) The requirements of this paragraph shall not apply to the following sources for which a request for a postponement of the applicability of regulation X had been submitted pursuant to section 110(f) of the Act prior to the date of publication of this regulation:

Source	Location
Kammer Station, Ohio Power Company	Moundsville
Mitchell Station, Ohio Power Company	Do.
Harrison Station, Monongahela Power Company	Haywood
Fort Martin Station, Monongahela Power Company	Maidsville

(10) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (b) (2), (3), (5), or (6) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State of West Virginia.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Monongahela Power Co., Rivesville Station.	Fairmont	II	Dec. 14, 1972	Immediately	Mar. 27, 1975.
Chesapeake and Ohio Railway Co., Huntington Shops.	Huntington	II	Dec. 7, 1972	do	Oct. 31, 1974.
Central Operating Co., Philip Sporn Plant.	New Haven	II	Dec. 14, 1972	do	June 30, 1975.
E. I. DuPont deNemours & Co., Inc.	Parkersburg	II	July 12, 1973	do	Do.
International Nickel Co., Inc., Huntington Alloy Products Division.	Huntington	VII	do	do	Dec. 31, 1974.
Koppers Co., Inc	Follansbee	II	July 5, 1973	do	May 30, 1975.
PPG Industries Inc	New Martinsville	II	Dec. 7, 1972	do	July 1, 1975.
Quaker State Oil Refining Corp., Ohio Valley Plant.	St. Marys	II	July 5, 1973	do	June 1, 1975.
Mercury Coal and Coke, Inc	Morgantown	VII	Sept. 20, 1973	do	June 30, 1975.
Mountaineer Carbon Co	Moundsville	VII	Dec. 14, 1972	do	Do.
Weirton Steel Division, National Steel Corp.	Weirton	II	Oct. 26, 1972	do	Dec. 31, 1974.
Union Carbide Corp., Ferroalloys Division.	Alloy	VII	Oct. 29, 1970	do	Jan. 1, 1975.
Monongahela Power Co., Albright Station.	Albright	II	Dec. 14, 1972	do	Feb. 1, 1975.
Owens-Illinois Glass Works, Fairmont Plant.	Fairmont	VII	Oct. 30, 1973	do	July 1, 1975.
Owens-Illinois Glass Works, Huntington Plant.	Huntington	VII	do	do	Jan. 7, 1975.
Johns-Manville Fiber Glass Plant	Vienna	VII	Nov. 2, 1973	do	June 1, 1975.
Quaker State Oil Refining Corp	St. Marys	VII	July 5, 1973	do	Aug. 30, 1974.
Sterling Faucet Co., Cast Products Plant.	Morgantown	VII	Dec. 14, 1972	do	Feb. 1, 1975.
Sterling Faucet Co., Pittsburgh Valve Plant.	do	VII	do	do	Do.
Union Carbide Corp., Chemicals and Plastics Division.	Sistersville	II	do	do	Dec. 30, 1974.
Wheeling Pittsburgh Steel Corp., Steubenville Plant, East Division, Byproduct Coke Plant.	Follansbee	II	Sept. 20, 1973	do	Sept. 30, 1974.
Allied Chemical Corp., Industrial Chemical Division, South Plant.	Moundsville	II	Oct. 26, 1972	do	Mar. 1, 1975.
American Cyanamid Co	Willow Island	II	Dec. 7, 1972	do	Feb. 1, 1975.
Allied Chemical Co	Moundsville	X	Oct. 26, 1972	do	June 1, 1975.
American Cyanamid	Willow Island	X	Dec. 7, 1972	do	Feb. 1, 1975.
FMC Corp	South Charleston.	X [1]	July 5, 1973	do	June 30, 1975.
Monsanto Corp	Nitro	X [1]	do	do	Do.
PPG Industries, Inc	Natrium	X [1]	Dec. 14, 1972	do	July 1, 1975
Do	do	X	Dec. 7, 1972	do	Do.
Weirton Steel Division National Steel Corp.	Weirton	X	Oct. 26, 1972	do	Dec. 31, 1974.
Do	do	X [1]	Dec. 7, 1972	do	Apr. 15, 1975.
Union Carbide Corp	Sistersville	X	Dec. 14, 1972	do	Dec. 30, 1974.
R.B.S., Inc., Greystone Quarry	White Sulphur Springs.	VII	Jan. 11, 1974	do	Dec. 31, 1974.
Savannah Lane Quarry Division of Kathy's Farm, Inc.	Frankford	VII	do	do	Do.
State of West Virginia Ind. Conservation Committee.	Charleston	VII	do	do	June 30, 1975.
Westinghouse Electric Corp., Fluorescent and Lamp division.	Fairmont	VII	Apr. 19, 1974	do	June 1, 1975.
Acme Limestone Co	Fort Spring	VII	do	do	June 30, 1975.
Brown's Limestone	Salem	VII	do	do	Nov. 30, 1974.
Corning Glass Works, Parkersburg plant.	Parkersburg	VII	do	do	Dec. 31, 1974.
Corning Glass Works, Martinsburg.	Martinsburg	VII	Apr. 19, 1974	do	July 1, 1975.
Pocahonta Construction Co	Marlinton	VII	Jan. 11, 1974	do	June 30, 1975.

[1] Process.

[38 FR 16170, June 20, 1973, as amended at 38 FR 22751, Aug. 23, 1973; 38 FR 24342, Sept.
1973; 39 FR 32560, Sept. 9, 1974; 40 FR 3569, Jan. 23, 1975; 51 FR 40676, 40677, Nov. 7,

§ 52.2525 Control strategy: Sulfur dioxide.

(a) The provisions of § 51.112(a) are not met because the State did not adequately demonstrate that the deletion of section 3.03(b) of West Virginia regulation X as it applies to the Rivesville plant would not interfere with attainment and maintenance of the national ambient air quality standard.

[43 FR 52240, Nov. 9, 1978, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2526 Maintenance of national standards.

(a) Under the requirements of § 51.110 (h) and (i) of this chapter, the Administrator, in agreement with the State of West Virginia, has identified no areas that have the potential for violation of the national ambient air quality standards within 10 years.

[40 FR 41953, Sept. 9, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2527 [Reserved]

§ 52.2528 Significant deterioration of air quality.

(a) The requirements of Sections 160 through 165 of the Clean Air Act are met since the plan includes approvable procedures for the Prevention of Significant Air Quality Deterioration.

(b) Regulations for Preventing Significant Deterioration of Air Quality, the provisions of § 52.21(p) (4), (5), (6), and (7) are hereby incorporated and made a part of the applicable state plan for the state of West Virginia.

[51 FR 12518, Apr. 11, 1986]

§§ 52.2529—52.2530 [Reserved]

§ 52.2531 Control strategy: (Hydrocarbons).

EPA's approval of West Virginia's plan for attaining the ozone standard in the Kanawha Valley Intrastate AQCR is given on the condition that West Virginia adopts an adequate test method for Regulation XXIII submits this test method to EPA as a SIP revision.

[45 FR 54052, Aug. 14, 1980]

§ 52.2532 Control strategy: Particulate matter.

(a) West Virginia's does not have approved plans for attaining secondary TSP standards in the Steubenville-Weirton-Wheeling AQCR, Kanawha County and the adjacent Valley Magisterial District in Fayette County, and the Parkersburg Tygart Magisterial District in Wood County.

[45 FR 54052, Aug. 14, 1980, as amended at 50 FR 26734, June 28, 1985]

§ 52.2533 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of West Virginia.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of West Virginia.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart YY—Wisconsin

§ 52.2570 Identification of plan.

(a) Title of plan: "A Statewide Implementation Plan to Achieve Air Quality Standards for Particulates, Sulfur Oxides, Nitrogen Oxides, Hydrocarbons, Oxidants, and Carbon Monoxide in the State of Wisconsin."

(b) The plan was officially submitted on January 14, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) An abatement order for the Alma Power Plant in the Southeast La-Crosse AQCR was issued on February 15, 1972, by the State Department of Natural Resources. (Non-regulatory)

(2) On March 3, 1972, the control strategy (IPP) for the Southeast Wisconsin Interstate was submitted by the State Department of Natural Resources. (Non-regulatory)

(3) The air quality monitoring network was submitted by the State Department of Natural Resources on March 16, 1972. (Non-regulatory)

(4) Revisions to the air quality monitoring network were submitted on April 7, 1972, by the State Department of Natural Resources. (Non-regulatory)

(5) A revised order, hearing documents and other information concerning the meeting of standards by the Alma Power Plant was submitted on January 19, 1973, by the Governor. Also submitted were revisions to emergency episode levels regulation NR 154.01(41)(c)-3 and NR 154.01(41)(c)-4.

(6) Compliance schedules were submitted on June 26, 1973, by the State.

(7) Compliance schedules were submitted on October 11, 1973, by the State.

(8) Compliance schedules were submitted on October 19, 1973, by the State.

(9) Compliance schedules were submitted on November 10, 1973, by the State.

(10) Compliance schedules were submitted on December 12, 1973, by the State.

(11) The Governor of the State submitted the Air Quality Maintenance Areas designations on June 21, 1974.

(12) A request for an extension of the statutory timetable for the submittal of the portion of the Wisconsin SIP which provides for the attainment of the Secondary NAAQS for TSP was submitted by the Wisconsin DNR on February 22, 1979, and was supplemented with additional information on April 16, 1979 and May 13, 1980.

(13) On June 4, 1979, the State submitted revisions to regulation NR 154.13 and to regulation NR 154.01 as it applies to regulation NR 154.13 and a commitment by the Wisconsin Natural Resources Board to adopt any additional rules representing reasonably available control technology which are necessary for the attainment of the ozone standard. NR 154.01 and NR 154.13 were published in the Wisconsin Administrative Register in July 1979 and were amended in the August 1979 Register.

(14) On November 27, 1979 the Wisconsin Department of Natural Resources submitted revised rules NR 154.01 (126m), 154.02, 154.03 and 154.06. Support materials for these regulations were previously submitted on July 12, 1979 and September 4, 1979.

(15) On May 1, 1980, the Wisconsin Department of Natural Resources submitted the sulfur dioxide regulations NR 154.12 (4) and (5) for the Village of Brokaw, Marathon County and the City of Madison, Dane County.

(16) On July 12, 1979, Wisconsin submitted its ozone and carbon monoxide plan. This included the plan for the Green Bay, Madison, and Milwaukee urban areas which include the ozone nonattainment counties of Brown, Dane, Kenosha, Milwaukee, Ozaukee, Racine and Waukesha. Supplemental materials and commitments were submitted on September 4, 1979, February 28, 1980, August 12, 1980, September 25, 1980, November 4, 1980 and April 9, 1981.

(17) On July 12, 1979, Wisconsin submitted its vehicle inspection and maintenance program. Supplemental information and commitments were submitted on August 1, 1979, October 16, 1979, May 7, 1980, May 8, 1980, and April 9, 1981.

(18) On July 12, 1979 Wisconsin submitted its new source review regulations. Additional information was submitted on September 4, 1979, November 27, 1979, May 1, 1980, and February 18, 1981. EPA is only approving these submittals as they relate to the new source review plan for nonattainment areas.

(19) On April 18, 1980, the State of Wisconsin submitted a revision to provide for modification of the existing air quality surveillance network. An amendment to the revision was submitted by the State of Wisconsin on September 15, 1980.

(20) On September 9, 1980, the State of Wisconsin submitted a variance to regulation NR 154.13(3)(c) for Avi Rent-A-Car.

(21) On October 29, 1980 the State submitted a variance to regulation N 154.13(3)(a) for Union Oil Compa bulk gasoline terminal in Superior.

(22) On July 12, 1979, the State su mitted revisions to Regulation N

154.09, Wisconsin Administrative Code.

(23) Revision to plan allowing General Motors Assembly Division Janesville plant variance from Regulation NR 154.13(4)(g) 4.a., Wisconsin Administrative Code submitted January 15, 1981 by the State Department of Natural Resources.

(24) On August 31, 1981, Wisconsin submitted a variance from the provisions of Section NR 154.12(5)(a)2.b.2, and NR 154.12(5)(b) Wisconsin Administrative Code, for the Oscar Mayer and Company plant located in Madison, Wisconsin as a revision to the Wisconsin sulfur dioxide SIP.

(25) Revision to plan allowing W. H. Brady Company in Milwaukee variance from regulation NR 154.13(4) (e) and (f), Wisconsin Administrative Code, submitted January 22, 1982, by the State Department of Natural Resources.

(26) Revision to plan allowing Albany Carbide Corporation in Albany variance from regulation NR 154.13(5)(a), Wisconsin Administrative Code, submitted on December 22, 1981, by the State Department of Natural Resources.

(27) On January 15, 1981, the Wisconsin Department of Natural Resources submitted revisions to regulations NR 154.01 and NR 154.13 representing reasonably available control technology which are necessary to attain and maintain the ozone standard. A supplemental commitment was submitted March 31, 1982.

(28) On November 27, 1979, the State of Wisconsin submitted implementation plan revision to satisfy the Part D, Title I of the Clean Air Act for attainment and maintenance of the national ambient air quality standards for particulate matter. The revision consists of NR 154.11, Wisconsin Administrative Code, Control of Particulate Matter. Amendments to the plan were submitted by the State on November 6, 1980, and June 10, 1981. Supplemental information and commitments were submitted on May 1, 1980, May 13, 1982, and December 7, 1982. No attainment plan was submitted for Columbia, Brown, Dane, Douglas, Kenosha, Manitowoc, Marathon, Racine, Winnebago, and Wood Counties.

(29) On July 15, 1982, the State of Wisconsin submitted a variance to the compliance regulation requirements contained in NR 154.13(2)(a)1.d. for Lakehead Pipe Line Company, Inc., in Superior.

(30) On December 7, 1982, Wisconsin submitted revisions to regulations NR 154.01 and NR 154.11(2) for fugitive dust control in or near nonattainment areas for TSP.

(31) On March 8, 1983, the Wisconsin Department of Natural Resources submitted the 1982 revision to the Ozone/Carbon Monoxide SIP for Southeastern Wisconsin. This revision pertains to Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties. EPA is deferring action on the vehicle inspection and maintenance (I/M) portion of this revision.

(32) On February 17, 1983, the Wisconsin Department of Natural Resources submitted the newly created section NR 154.13(13)(e) of Wisconsin's Administrative Code which partially exempts methylene chloride (dichloromethane) and methyl chloroform (1,1,1-trichloroethane) from the VOC control requirements contained in the Wisconsin SIP. The U.S. Environmental Protection Agency is not rulemaking at this time on the sulfur dioxide control requirements for the City of Brokaw in Marathon County which were also contained in the February 17, 1983, submittal.

(33) On January 23, 1984, the State of Wisconsin submitted a State Implementation Plan revision revoking the Hydrocarbon Standard contained in NR 155.03(5).

(34) On July 1, 1983, the State of Wisconsin submitted ambient lead standards and lead emission limitations as additions to the State Implementation Plan. The additions consist of NR 155.03(7), Lead: Primary and Secondary Standards, and NR 154.145, Control of Lead Emissions, of the Wisconsin Administrative Code. Supplemental information and commitments were submitted on October 13, 1983, March 14, 1984, June 4, 1984, and June 15, 1984.

(35) On September 20, 1983, the Wisconsin Department of Natural Resources submitted its Lead SIP for the entire State of Wisconsin. Additional information was submited on February 14, 1984, and March 14, 1984.

(36) On December 8, 1983, the Wisconsin Department of Transportation submitted Chapter TRANS 131, Motor Vehicle Inspection and Maintenance Program (MVIP). On June 11, 1984, the Wisconsin Department of Natural Resources requested that USEPA approve the remaining element of the 1982 Ozone/Carbon Monoxide SIP, the vehicle inspection and maintenance portion (I-M). All other elements of the Ozone/Carbon Monoxide SIP has been approved previously. (See Section 52.2570 (c)(31)).

(37) On May 25, 1984, the Wisconsin Department of Natural Resources submitted a permit fee rule, Chapter NR 410, which establishes air permit application fees and air permit implementation and enforcement fees, as a revision to the SIP.

(38) [Reserved]

(39) On January 23, 1984, the Wisconsin Department of Natural Resources submitted revisions to sections NR 154.01 and NR 154.13 of the Wisconsin Administrative Code. These revisions incorporate volatile organic compound emission limits for large existing petroleum dry cleaners located in a six-county area of southeastern Wisconsin into the Wisconsin Ozone SIP [NR 154.13(6)(c)].

(40) On November 17, 1983, Wisconsin submitted revisions to Sections NR 154.01, Definitions, and NR 154.13, Control of Organic Compound Emissions, of the Wisconsin Administrative Code. These revisions clarify the volatile organic compound RACT rules and establish an extended RACT compliance date for certain can coating operations. On July 11, 1984, Wisconsin submitted additional information revising the original submittal.

(i) Incorporation by reference

(A) Board Order A-36-82, incorporating revisions to NR 154.01 and NR 154.13 of the Wisconsin Administrative Code, became effective in the State of Wisconsin on August 1, 1983.

(41) On January 24, 1985, the Wisconsin Department of Natural Resources submitted test methods for petroleum dry cleaning sources as a revision to the Wisconsin SIP. These test methods are part of the State's "Air Management Operations Handbook".

(i) Incorporation by reference.

(A) Test methods for petroleum dry cleaning sources contained in the Wisconsin Department of Natural Resources' "Air Management Operations Handbook".

(42) On July 12, 1979, the State of Wisconsin submitted its new source review (NSR) regulations. Additional information was submitted on September 4, 1979, November 27, 1979, May 1, 1980, and February 18, 1981. USEPA has previously approved these submittals as they relate to the NSR plan for nonattainment areas. See (c) (18). USEPA is now approving these submittals as they relate to the general NSR requirements for attainment and unclassified areas. USEPA is not approving these submittals with regard to the Prevention of Significant Deterioration (PSD) requirements, and USEPA's approval of Wisconsin's NSR rules should not be interpreted to apply to PSD. USEPA is approving §§ 144.394(2) and 144.394(5) of the State Statutes provided that all variances (144.394(2)) and emission reduction options (144.394(5)) are submitted to USEPA as SIP revisions. On November 6, 1985, the State submitted a letter committing to: (1) Revise its regulations to conform with USEPA's July 8, 1985, rulemaking concerning stack height credits for air quality modeling; and (2) implement all air quality modeling analyses to conform with the July 8, 1985, rulemaking until the revised State regulations are enacted.

(i) *Incorporation by reference.* (A) The following Sections of Chapter 144 of the Wisconsin Statutes, entitled "Water, Sewage, Refuse, Mining, and Air Pollution, are incorporated by reference. These sections are located in Subchapter I, "Definitions", Subchapter III, "Air Pollution", and Subchapter VII, "General Provisions, Enforcement and Penalties", of Chapter 144.

Section 144.01 (1), (2), (3), (9m), and (12)—Definitions

Section 144.30—Air Pollution; Definitions

Section 144.31—Air Pollution Control; Powers and Duties
Section 144.34—Inspections
Section 144.375—Air Pollution Control; Standards and Determinations
Section 144.38—Classification and Reporting
Section 144.391—Air Pollution Control Permits
Section 144.392—Permit Application and Review
Section 144.393—Criteria for Permit Approval
Section 144.394—Permit Conditions
Section 144.395—Alteration, Suspension and Revocation of Permits
Section 144.396—Permit Duration
Section 144.397—Operation Permit Review
Section 144.398—Failure to Adopt Rules or Issue Permit or Exemption
Section 144.399—Fees
Section 144.402—Petition for Alteration
Section 144.403—Hearings on Certain Air Pollution Actions
Section 144.423—Violations; Enforcement
Section 144.426—Penalties for Violations Relating to Air Pollution
Section 144.98—Enforcement; Duty of Department of Justice

(B) The following Sections of Chapter NR 154 of the Wisconsin Administrative Code, entitled "Air Pollution Control", are incorporated by reference.

Section 154.01—Definitions
Section 154.04—Permit Requirements and Exemptions
Section 154.05—Action on Applications
Section 154.055—Relocation of Portable Sources
Section 154.06—Operation and Inspection of Sources (Source Reporting, Recordkeeping, Testing, Inspection and Operation)
Section 154.08—Enforcement and Penalties
Section 154.21—Limitations on County, Regional, or Local Regulations
Section 154.24—Procedures for Non-contested Case Public Hearings
Section 154.25—Procedures for Alteration of Permits by Petition

(C) Letter from the State of Wisconsin dated November 6, 1985, committing to implement USEPA's stack height regulations.

(43) On October 13, 1983, the State of Wisconsin submitted revisions to Chapter NR 154 of the Wisconsin Administrative Code that exempt certain sources from the need to obtain construction, modification, and operation permits, and from other permit program requirements. USEPA is approving these permit exemptions for attainment, nonattainment, and unclassified areas, except for those exemptions upon which USEPA is deferring action (Sections NR 154.01(118), NR 154.04(3)(a), NR 154.04(5), and NR 154.04(6)(b)).

(i) Incorporation by reference.

(A) Sections NR 154.01, NR 154.04, NR 154.08, NR 154.24, and NR 154.25 of Natural Resources Board Order Number A-39-81, which were published in the Wisconsin Administrative Register in April 1983, and which took effect on May 1, 1983, with the exception of sections NR 154.01(118), NR 154.04(3)(a), NR 154.04(5), and NR 154.04(6)(b).

(ii) Additional material.

(A) Letter from the State dated May 24, 1984, clarifying that major sources, or major modifications of major sources, could not be exempted from the requirement to obtain a permit under sections NR 154.04(2)(a) or NR 154.04(3)(b).

(B) Letter from the State dated July 13, 1984, stating that decisions made pursuant to NR 154.25 would be subject to the permitting criteria in § 144.393 of the Wisconsin Statutes.

(44) [Reserved]

(45) Submittal from the State of Wisconsin, dated February 17, 1983, modifying the SO_2 emission limits applicable in the Village of Brokaw, Marathon County, Wisconsin.

(i) Incorporation by reference.

(A) Letter from the Wisconsin Department of Natural Resources, dated February 17, 1983, and revised SO_2 emission limits for the Village of Brokaw, Marathon County, Wisconsin, which are contained in section NR 154.12(4) of the Wisconsin Administrative Code. The revisions consist of limiting the maximum sulfur content in fuel oil burned in boilers to 1.0 percent by weight, where a stack of 160 feet or more is used; limiting process emissions from the Copeland recovery system, pulp papermill cooking acid plant, and pulp digester blow stack to a combined total of 228 pounds of SO_2 per hour, when vented to a common stack of 160 feet of more. If a stack height of less than 160 feet is used, or if the process emissions are not vented to a common stack of 160 feet or more, then the emission limits approved by

USEPA on April 9, 1981, must be met. See (c)(15). The emission limits were effective January 1, 1983.

(46) The State of Wisconsin submitted negative declarations for several volatile organic compound source categories, as follows:

November 7, 1984—Synthetic organic chemical manufacturing industry sources (SOCMI) leaks and oxidation;
September 19, 1984—High-density polyethylene, polypropylene, and polystyrene resin manufacturers;
June 6, 1986—Natural gas/gasoline processing plants leaks.

(i) Incorporation by reference.

(A) Letters dated November 7, 1984, September 19, 1984, and June 6, 1985, from Donald F. Theiler, Director, Bureau of Air Management, Wisconsin Department of Natural Resources.

(ii) Additional information.

(A) Letter dated January 24, 1986, from PPG Industries, Inc., stating that they do not produce as an intermediate or final product any of the chemicals listed in 40 CFR Part 60, Subpart VV, § 60.489(a).

(47) Submittal from the State of Wisconsin, dated December 19, 1985, revising the specified levels for air pollution episodes, air pollution episode reporting requirements, and the requirements for implementing air pollution control plans.

(i) Incorporation by reference.

(A) Department of Natural Resources, Chapter NR 493, Air Pollution Episode Levels and Episode Emissions Control Action Programs, NR 493.01, 493.02 and 493.03, effective on August 1, 1985.

(48) [Reserved]

(49) Submittal from the State of Wisconsin, dated June 14, 1985, revising the Wisconsin Administrative Code to include section NR 154.015, Department Review Times.

(i) Incorporation by reference.

(A) Letter from the Wisconsin Department of Natural Resources, dated June 14, 1985, and section NR 154.015 of the Wisconsin Administrative Code as a revision to the Wisconsin SIP, effective on May 1, 1985. Section NR 154.015 is entitled "Department Review Times", and it establishes time limits for review and action by the Wisconsin Department of Natural Resources on three types of air permit applications.

[37 FR 10902, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2570, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2571 Classification of regions.

The Wisconsin plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Duluth (Minnesota)-Superior (Wisconsin) Interstate	I	II	III	III	[illegible]
North Central Wisconsin Intrastate	II	III	III	III	[illegible]
Lake Michigan Intrastate	II	III	III	III	[illegible]
Southeast Minnesota-La Crosse (Wisconsin) Interstate	II	IA	III	III	[illegible]
Southern Wisconsin Intrastate	II	III	III	III	[illegible]
Southeastern Wisconsin Intrastate	I	II	III	III	I
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate	II	III	III	III	[illegible]
Metropolitan Dubuque Interstate	I	III	III	III	[illegible]

[37 FR 10902, May 31, 1972, as amended at 39 FR 16348, May 8, 1974; 45 FR 2322, Jan. 11, 1980]

§ 52.2572 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wisconsin's plans for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the Ozone portion of the State Implementation Plan depends on the adoption and submittal of RACT requirements on: (1) Group III Control Techniques Guideline sources within 1 year after January 1st following the issuance of each Group III control technique guideline; and (2) major (actual emissions equal or greater than 100 tons VOC per year) non-control technique guideline sources in accordance with the State's schedule contained in the 1982 Ozone SIP revision for Southeastern Wisconsin.

[49 FR 8923, Mar. 9, 1984]

§ 52.2573 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[37 FR 10902, May 31, 1972, as amended at 40 FR 55334, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2574 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since section 144.33 of the Wisconsin Air Law will preclude the release of emission data in certain situations.

[37 FR 10902, May 31, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2575 Control strategy: Sulfur dioxide.

(a) Part D—Approval—With the exceptions set forth in this subpart, the Administrator approved the Wisconsin sulfur dioxide control plan.

(1) Part D—No action—USEPA takes no action on the Wisconsin sulfur dioxide rules NR 154.12 (1), (2) and (3).

[46 FR 21168, Apr. 9, 1981]

§ 52.2576 [Reserved]

§ 52.2577 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Wisconsin's plan, except where noted.

Air Quality Control Region	Pollutant						
	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Duluth (Minnesota)-Superior (Wisconsin Interstate (AQCR 129):							
a. Primary/Secondary nonattainment areas.	a	f	b	a	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.
North Central Wisconsin Intrastate (AQCR 238):							
a. Primary/Secondary nonattainment areas.	b	f	d	c	c	c	d.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Lake Michigan Intrastate (AQCR 237):							
a. Primary/Secondary nonattainment areas.	b	f	c	c	c	c	d.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Southeast Minnesota-LaCrosse (Wisconsin) Interstate (AQCR 128):							
a. Primary/Secondary nonattainment areas.	b	c	a	a	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Southern Wisconsin Intrastate (AQCR 240):							
a. Primary/Secondary nonattainment areas.	g	f	d	c	c	c	d.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Southeastern Wisconsin Intrastate (AQCR 239):							
a. Primary/Secondary nonattainment areas.	d	d	b	a	c	e	e.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate (AQCR 73) (Wisconsin portion):							
a. Primary/Secondary nonattainment areas.	d	d	c	c	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Metropolitan Dubuque Interstate (AQCR 68):							
a. Primary/Secondary nonattainment areas.	a	a	c	c	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.

a. July, 1975.
b. Air quality levels presently below primary standard or are unclassifiable.
c. Air quality levels presently below secondary standard or are unclassifiable.
d. December 31, 1982.
e. December 31, 1987.
f. 18-Month extension granted for plan submission and identification of attainment date.
g. No attainment plan was submitted.

NOTE: Sources subject to the plan requirements and attainment dates established under section 110(a)(2)(A) prior to th 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earli attainment dates are set out at 40 CFR 52.2577(1978).

For actual nonattainment designations refer to 40 CFR Part 81.

Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific da or the date provided was not acceptable.

[48 FR 9862, Mar. 9, 1983]

§ 52.2578 Compliance schedules.

(a) [Reserved]

(b) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(c) Federal compliance schedules. (1) Except as provided in paragraph (c)(3) of this section, the owner or operator of any stationary source in the Southeast Wisconsin AQCR subject to the following emission limiting regulation in the Wisconsin implementation plan shall comply with the applicable compliance schedule in paragraph (c)(2) of this section: Wisconsin Air Pollution Control Regulation NR 154.13.

(2) (i) *Compliance schedules.* The owner or operator of any stationary source in the Southeast Wisconsin AQCR subject to NR 154.13 shall notify the Administrator no later than October 1, 1973, of his intent either to install necessary control systems per Wisconsin Air Pollution Control Regulation NR 154.13(2) or to switch to an exempt solvent per Wisconsin Air Pollution Control Regulation NR 154.13(3) to comply with the requirements of Wisconsin Air Pollution Control Regulation NR 154.13.

(ii) Any owner or operator of a stationary source subject to paragraph (c)(2)(i) of this section who elects to comply with the requirements of NR 154.13 by installing a control system shall take the following actions with respect to the source no later than the specified dates.

(*a*) November 1, 1973—Advertise for bids for purchase and/or construction of control system or purchase of requisite material for process modification sufficient to control hydrocarbon emissions from the source.

(*b*) December 15, 1973—Award contracts or issued order for purchase and/or construction of control system or purchase of requisite material for process modification sufficient to control hydrocarbon emissions from the source.

(*c*) April 15, 1974—Initiate onsite construction or installation of control system or process modification.

(*d*) November 1, 1974—Complete onsite construction or installation of control system or process modification.

(*e*) January 1, 1975—Achieve final compliance with Wisconsin Air Pollution Control Regulation NR 154.13.

(iii) Any owner or operator of a stationary source subject to paragraph (c)(2)(i) of this section, who elects to comply with the requirements of Wisconsin Air Pollution Control Regulation NR 154.13 by switching to an exempt solvent, shall take the following actions with respect to the source no later than the dates specified.

(*a*) April 1, 1974—Begin testing exempt solvents.

(*b*) June 1, 1974—Issue purchase orders for exempt solvents.

(*c*) December 1, 1974—Convert to complete use of exempt solvent.

(*d*) January 1, 1975—Achieve full compliance with Wisconsin Air Pollution Control Regulation NR 154.13.

(iv) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(3) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (c)(2) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(d) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.104 and Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

WISCONSIN

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
BROWN COUNTY				
Wisconsin Public Service Corp	Green Bay	NR154.11(5)(c)	May 11, 1973	May 1, 1975.
BUFFALO COUNTY				
Dairyland Power Cooperative	Alma	NR154.12(1)	Aug. 16, 1972	May 1, 1974.
GRANT COUNTY				
Wisconsin Power & Light Co., Nelson Dewey Plant.	Cassville	NR154.11(5)(b)	June 8, 1973	June 1, 1974.
OUTAGAMIE COUNTY				
Kimberly-Clark Corp	Kimberly	NR154.11(5)(c)	May 15, 1973	Oct. 1, 1974.
Thilmany Pulp and Paper Co	Kaukauna	NR154.11(5)(c)	May 1, 1973	May 1, 1975.
SHEBOYGAN COUNTY				
Kohler Co	Kohler	NR154.11(4)(b)	May 11, 1973	Feb. 1, 1975.
DOUGLAS COUNTY				
ADM Grain Co	Superior	NR154.11(4)(b)	July 18, 1973	July 15, 1974.
M&O Elevators Inc	do	NR154.11(4)(b)	Sept. 25, 1973	
(a) Units 1-6				June 30, 1974.
(b) Units 7-11				Apr. 30, 1975.
KENOSHA COUNTY				
American Motors Corp. (Main Plant)	Kenosha	NR154.13(2)(i)	Sept. 25, 1973	Jan. 1, 1975.
LINCOLN COUNTY				
Owens-Ill. Inc. (Forest Products Div.):				
(a) Boilers 3, 4	Tomahawk	NR154.11(5)(b)	Sept. 25, 1973	Dec. 31, 1973.
(b) Boilers 6, 7, 8	do	NR154.11(5)(b)	do	Dec. 31, 1974.
MARATHON COUNTY				
Weyerhaeuser Co	Rothschild	NR154.11(5)(b)	Sept. 17, 1973	Oct. 31, 1974.
ONEIDA COUNTY				
St. Regis Paper Co	Rhinelander	NR154.11(4)(b); (5)(b).	Oct. 11, 1973	Sept. 30, 1974.
OZAUKEE COUNTY				
Allis Chalmers Corp	Pt. Washington	NR154.13(2)(i)	July 13, 1973	Jan. 1, 1975.
Doerr Electric Corp	Cedarburg	NR154.13(2)(i)	Sept. 4, 1973	Do.
EST Co. Inc	Grafton	NR154.13(2)(i)	do	Do.
Jor-Mac Co. Inc	do	NR154.13(2)(i)	do	Do.
Tecumseh Products Co. (Power Products Div.)	do	NR154.13(2)(i)	July 13, 1973	June 1, 1974.
RACINE COUNTY				
Emerson Electric Co. (In-Sink-Erator Div.)	Racine	NR154.13(2)(i)	Sept. 4, 1973	Jan. 1, 1975.
Jacobsen Mfg. Co	do	NR154.13(2)(i)	Sept. 27, 1973	Do.
Keystone Ferrule and Nut Corp	Burlington	NR154.13(2)(i)	Sept. 4, 1973	July 1, 1974.
Western Publishing Co	Racine	NR154.13(2)(i)	Apr. 16, 1973	Jan. 1, 1975.
WALWORTH COUNTY				
Alpha Cast Inc	Whitewater	NR154.11(4)(b)	July 27, 1973	Dec. 31, 1974.

WISCONSIN—Continued

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
		WASHINGTON COUNTY		
Broan Mfg. Co. Inc	Hartford	NR154.13(2)(i)	Aug. 9, 1973	Jan. 1, 1975.
Chrysler Outboard Corp	do	NR154.13(2)(i)	Sept. 4, 1973	Do.
Gehl Co	West Bend	NR154.13(2)(i)	Sept. 6, 1973	Do.
Kasten Mfg. Corp	Allenton	NR154.13(2)(i)	Sept. 25, 1973	June 1, 1974.
International Stamping Co., Inc	Hartford	NR154.13(2)(i)	Sept. 12, 1973	Jan. 1, 1974.
Regal Ware, Inc	Kewaskum	NR154.13(2)(i)	Aug. 6, 1973	Jan. 1, 1975.
West Bend Co	West Bend	NR154.13(2)(i)	do	Mar. 1, 1974.
		WAUKESHA COUNTY		
Aeroshale, Inc	Waukesha	NR154.13(2)(i)	Sept. 4, 1973	July 1, 1974.
Amron Corp	do	NR154.13(2)(i)	July 5, 1973	Do.
E. D. Artz Inc	Brookfield	NR154.13(2)(i)	Sept. 6, 1973	Jan. 1, 1975.
Oven System, Inc	New Berlin	NR154.13(2)(i)	Sept. 14, 1973	May 1, 1974.
Wenthe-Davidson Engineering Co	do	NR154.13(2)(i)	Sept. 4, 1973	Jan. 1, 1974.
		WOOD COUNTY		
Nekoosa Edwards Paper Co., Inc	Pt. Edwards	NR154.11(5)(b)	Aug. 20, 1973	Sept. 28, 1974.

(e) The compliance schedule for the source identified below is disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date schedule adopted
	DOUGLAS COUNTY		
M&O Elevators Inc. (c) Units 12-17	Superior	NR154.11(4)(b)	Sept. 25, 1973.
	MARATHON COUNTY		
Mosinee Paper Co	Mosinee	NR154.11(4), (5)	May 19, 1973.

[38 FR 16170, June 20, 1973, as amended at 38 FR 22752, Aug. 23, 1973; 38 FR 24832, Sept. 7, 1973; 39 FR 28159, Aug. 5, 1974; 39 FR 32608, Sept. 10, 1974; 43 FR 53440, Nov. 16, 1978; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

§ 52.2579 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Wisconsin.

[39 FR 7285, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2580 Maintenance of national standards.

(a) The areas listed below, which were identified by the State of Wisconsin, are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Illinois-Indiana-Wisconsin Interstate Air Quality Maintenance Area (Wisconsin portion).

(i) Pollutants for which the area is identified: Particulate matter, photochemical oxidants, and sulfur dioxide.

(ii) Geographical composition of area:

Kenosha County.
Milwaukee County.
Ozaukee County.
Racine County.
Walworth County.
Washington County.
Waukesha County.

(2) Lake Michigan Subregion Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Brown County, Outagamie County, Winnebago County.

[40 FR 23756, June 2, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2581 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Wisconsin.

(c) All applications and other information required pursuant to § 52.21 from sources in the State of Wisconsin shall be submitted to the Secretary of Wisconsin Department of Natural Resources, P.O. Box 7921, Madison, Wisconsin 53707 instead of the EPA Region V office.

[45 FR 52741, Aug. 7, 1980, and 46 FR 9585, Jan. 29, 1981]

§ 52.2582 Extensions.

The Administrator hereby extends until July 1, 1980 the statutory timetable for submission of Wisconsin's plan for attainment and maintenance of the Secondary NAAQS for TSP in Brokaw, Green Bay, Kenosha, LaCrosse, Madison, Manitowoc, Marshfield, Neenah, Oshkosh, Racine, and Superior. The plan will be due on July 1, 1980.

[46 FR 21168, Apr. 9, 1981]

§ 52.2583 [Reserved]

§ 52.2584 Control strategy; Particulate matter.

(a) Part D—Disapproval—USEPA disapproves Regulation NR 154.11(7)(b) of Wisconsin Administrative Code (RACT Requirements for Coking Operations), which is part of the control strategy to attain and maintain the standards for particulate matter, because it does not contain an enforceable RACT-level numerical visible emission limitation for charging operations.

[48 FR 9862, Mar. 9, 1983]

Subpart ZZ—Wyoming

§ 52.2620 Identification of plan.

(a) Title of plan: "Implementation Plan for Air Quality Control, State of Wyoming."

(b) The plan was officially submitted on January 26, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Compliance schedule information in three plants submitted March 2 1972, by the Department of Health and Social Services (DHSS). (Non-reg ulatory.)

(2) Procedural clarification to emergency episodes plan submitted May 1 1972, by DHSS.

(3) Particulate compliance schedule submitted February 9, 1973, by DHSS

(4) Emergency episode plan submitted February 27, 1973, by DHSS. (Non regulatory).

(5) Compliance schedules submitted on March 1, 1973, by DHSS.

(6) Revision of Wyoming's Standards and Regulations (Chapter I, Section 1 20) submitted April 18, 1973, by DHSS

(7) Revision of particulate control strategy to require compliance wi particulate standards not later th January 31, 1974, except where a proved by EPA and compliance sche

ule portions of the plan submitted May 29, 1973, by DHSS.

(8) Compliance schedule revisions, legal authority additions, update of Wyoming's Air Quality Standards and Regulations, non-regulatory source surveillance and new source review procedures submitted on August 7, 1974, by the Governor.

(9) Legal authority additions and compliance schedule revisions submitted on February 19, 1976, by the Governor.

(10) Requirements for continuous opacity monitoring by all fossil fuel fired steam generators with heat inputs in excess of 250 million Btu per hour and other miscellaneous revisions to the State regulations as submitted by the Air Quality Division (AQD) on May 9, 1978.

(11) Provisions to meet the requirements of Parts C and D and sections 110, 126, and 127 of the Clean Air Act, as amended in 1977 were submitted on January 26, 1979.

(12) A revision to Section 14 of the Wyoming Air Quality Standards and Regulations was submitted on July 18, 1980, and October 27, 1980.

(13) On August 26, 1981 and August 27, 1981, Wyoming submitted revisions to the requirements for Prevention of Significant Deterioration, the Air Quality Monitoring Plan, revisions to the Emergency Episode Contingency Plan, and revisions to stationary source permitting regulations.

(14) Revisions to the new source permit requirements in Sections 21 and 24 of the Wyoming regulations were submitted on April 30, 1981, and February 8, 1982.

(15) On August 30, 1984, the State of Wyoming submitted a plan revision for lead.

(16) Revisions to the new source permit requirements in sections 21 and 24 of the Wyoming regulation for visibility protection were submitted on April 12, 1985.

(i) Incorporation by reference:

(A) Letter from Randolph Wood, Administrator, Wyoming Air Quality Division, dated April 12, 1985, submitting the Wyoming Visibility SIP and Regulations.

(B)(*1*) Wyoming Air Quality Standards and Regulations (WAQSR), Section 21.n. (1) and (2) adopted on January 22, 1985.

(*2*) WAQSR, Section 24.b.(1)(f) adopted on January 22, 1985.

(*3*) WAQSR, Section 24.b.(6) (a) and (b) revised and adopted on January 22, 1985.

[37 FR 10903, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2620, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2621 Classification of regions.

The Wyoming plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Cheyenne Intrastate	II	III	III	III	III
Casper Intrastate	II	III	III	III	III
Wyoming Intrastate	III	III	III	III	III

[37 FR 10904, May 31, 1972]

§ 52.2622 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wyoming's plans as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plans satisfy the requirements of Part D, Title I, of the Clean Air Act.

[44 FR 38475, July 2, 1979]

§ 52.2623 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the State of Wyoming.

[37 FR 10903, May 31, 1972, as amended at 37 FR 19811, Sept. 22, 1972; 38 FR 12713, May 14, 1973; 39 FR 7285, Feb. 25, 1974. Redesignated and amended at 40 FR 24727, June 10, 1975; 51 FR 40677, Nov. 7, 1986]

§ 52.2624 [Reserved]

§ 52.2625 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are found in the "Wyoming Air Quality Standards and Regulations, 1975."

WYOMING

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Pacific Power & Light	Glenrock	14 (b), (e), (h)	Feb. 26, 1973	Immediately	Sept. 1, 1978.
Montana-Dakota Utilities	Sheridan	14 (b), (e), (h)	do	do	Dec. 31, 1978.
Utah Power & Light	Kemmerer	14 (b), (e), (h)	do	do	Do.
Black Hills Power & Light	Wyodak	14 (b), (e), (h)	do	do	May 1, 1978.
Do	Osage	14 (b), (e)	do	do	May 15, 1977.
American Oil	Casper	14 (b), (e), (h)	Jan. 26, 1973	do	Jan. 31, 1974.
Basins Engineering	Wheatland	14 (b), (e), (f), (g).	June 6, 1974	do	Apr. 5, 1974.
Stauffer Chemical Co	Green River	14 (b), (e), (f), (g).	do	do	Oct. 31, 1973.
Do	Leefe	14 (b), (e), (f), (g).	Feb. 26, 1973	do	Nov. 1, 1978.
Barold Division of National Lead	Osage	14 (b), (e), (f), (g).	Jan. 26, 1973	do	Dec. 31, 1975.
Do	Colony	14 (b), (e), (f), (g).	June 6, 1973	do	Mar. 1, 1974.
Holly Sugar	Torrington	14 (b), (e), (f), (g).	do	do	Oct. 31, 1978.
Do	Worland	14 (b), (d), (f), (g).	do	do	Do.
Reeves Concrete	Gillette	14 (b), (e), (f), (g).	Jan. 26, 1973	do	Dec. 1, 1973.
Do	Sheridan	14 (b), (e), (f), (g).	do	do	Do.
Do	Buffalo	14 (b), (e), (f), (g).	do	do	Do.
American Colloid	Lovell	14 (b), (e), (f), (g).	June 6, 1974	do	Apr, 30, 1974.
Star Valley Swiss Cheese	Thayne	14 (b), (e), (h)	Jan. 26, 1973	do	Dec. 31, 1973.
Sheridan Commercial	Sheridan	14 (b), (e), (f), (g)	do	do	Do.
Federal Bentonite	Upton	14 (b), (e), (f), (g).	June 6, 1973	do	June 30, 1974.
Do	Lovell	14 (b), (e), (f), (g).	do	do	Do.
Wyo-Ben Products	Greybull	14 (b), (e), (f), (g).	Jan. 26, 1973	do	Jan. 30, 1974.
Do	Lovell	14 (b), (e), (f), (g).	June 6, 1974	do	Do.
FMC	Kemmerer	14 (e), (f), (g), (i).	Jan. 26, 1973	do	Dec. 31, 1978.
Do	Green River	14 (b), (e), (f), (g).	June 6, 1974	do	Oct. 31, 1974.
Gunn-Quealy Coal	Rock Springs	14 (b), (e), (f), (g).	do	do	Mar. 31, 1974.
Allied Chemical	Green River	14 (b), (e), (f), (g).	do	do	Aug. 1, 1978.

WYOMING—Continued

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
IMC Corp	Colony	14 (b), (e), (f), (g).	do	do	Oct. 31, 1974.
Wyodak Resources Develop	Gillette	14 (b), (e), (f), (g).	do	do	Feb. 28, 1974.
Church and Dwight	Green River	14 (b), (e), (f), (g).	do	do	Nov. 1, 1973.
Wycon Chemical	Cheyenne	14 (b), (e), (f), (g).	Sept. 11, 1975	do	June 1, 1976.
Dresser Minerals	Greybull	14 (b), (e), (f), (g).	do	do	Feb. 15, 1976.
Town of Byron	Byron	13	Jan. 26, 1973	do	July 1, 1974.
Town of Chugwater	Chugwater	13	do	do	Do.
Town of Cowley	Cowley	13	do	do	Do.
Town of Lovell	Lovell	13	May 24, 1973	do	Do.
Big Horn County	Big Horn County	13	Jan. 26, 1973	do	Do.

[41 FR 36653, Aug. 31, 1976, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2626 [Reserved]

§ 52.2627 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Wyoming's plan.

Air quality control region and nonattainment area	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Cheyenne Intrastate	a	1/31/74	b	b	b	b	b
Casper Intrastate	b	9/30/76	b	b	b	b	b
Wyoming Intrastate:							
a. Trona nonattainment area	c	c	b	b	b	b	b
b. Remainder of AQCR	b	5/15/77	b	b	b	b	b

a. Air quality levels presently below primary standards.
b. Air quality levels presently below secondary standards.
c. December 31, 1982.

[44 FR 38475, July 2, 1979]

§§ 52.2628—52.2629 [Reserved]

§ 52.2630 Prevention of significant deterioration of air quality.

(a) The Wyoming plan, as submitted, is approved as meeting the requirements of Part C of the Clean Air Act except that designation of the Savage Run Wilderness Area, as established in Pub. L. 95-237, from Class II to Class I is disapproved.

(b) Regulation for preventing significant deterioration of air quality. The Wyoming plan, as submitted does not apply to certain sources in the State. Therefore, the provisions of § 52.21(b) through (v) are hereby incorporated by reference and made a part of the State Implementation Plan for the State of Wyoming and are applicable to the following proposed major stationary sources or major modifications:

(1) Sources proposing to construct on Indian Reservations in Wyoming; and

(2) Sources that received an air quality permit from the Wyoming State Department of Environmental Quality prior to September 6, 1979.

[44 FR 51979, Sept. 6, 1979]

§ 52.2631 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdictions or described areas including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Powder River Basin Air Quality Maintenance Area.

(i) Pollutants for which an area is identified: Particulate matter and photochemical oxidants.

(ii) Geographical composition of the area:

Campbell County.
Converse County.

(2) Sweetwater Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur dioxide.

(ii) Geographical composition of area:

Sweetwater County.

[40 FR 23756, June 2, 1975; 40 FR 27447, June 30, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2632 Visibility protection.

(a) The requirements of section 169(A) of the Clean Air Act are not met because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made part of the applicable plan for the State of Wyoming.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Wyoming.

[51 FR 17336, May 12, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart AAA—Guam

§ 52.2670 Identification of plan.

(a) Title of Plan: "Implementation Plan for Compliance With the Ambient Air Quality Standards for the Territory of Guam."

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revision listed below was submitted on the date specified.

(1) Revised implementation plan submitted on August 14, 1973, by the Governor.

Section I—Public hearing.

Section II—Introduction.

Section III—Legal authority (narrative).

Section IV—Ambient air quality standards and air pollution control regulations (narrative).

Section V—Emissions inventory.

Section VI—Air quality data.

Section VIII (B and C)—Control strategies.

Section IX—Complex sources (narrative).

Section X—Air quality surveillance network (narrative).

Section XI—Source surveillance system (narrative).

Section XIII—Compliance schedule.

Section XV—Resources.

Section XVI—Intergovernmental cooperation (narrative).

Appendix A—Notice and minutes of public hearing.

Appendix C—Pub. L. 11-191 (enacted on December 7, 1972).

Appendix E (Regulations):

Chapter 1, Definitions: 1.1-1.8, 1.10-1.14, 1.16, 1.19, and 1.21-1.32.

Chapter 2, Ambient Air Quality Standards: 2.1 and 2.2.

Chapter 3, Permits (for complex sources only): 3.1-3.13.

Chapter 4, Monitoring, Records, and Reporting: 4.2, and 4.4.

Chapter 5, Sampling and Testing: 5.3.

Chapter 6, Control of Open Burning 6.2(g)(1-3).

Chapter 7, Control of Particulate Emission from Process Industries: 7.1-7.4 (7.5 and 7.6 deleted without replacement).

Chapter 8, Control of Fugitive Dust: 8.1-8.9.

Chapter 10, Control of Visible Emissions 10.1(b) and the deletion of 10.1(c).

Chapter 14, Motor Vehicle Pollution Controls: 14.1-14.7.

Chapter 15, Appeal Procedures, Circumvention, Severability, and Effective Date 15.1-15.4

Appendix F—Summary of air quality data

Appendix G—Steam powerplant parameters.

Appendix H—Diffusion model computer printout.

Appendix J—Minutes and letters of public hearing on compliance schedules.

Appendix K—Emissions inventory data.

(2) Amendments to the Guam Air Pollution Control Standards and Regulation submitted on October 12, 1979 by the Governor's designee.

(i) Chapter 13—*Control of Sulfur Dioxide Emission*, 13.3, 13.4.

(ii) Deleted without replacement Rule 13.3 (submitted January 25, 1972).

(iii) Chapters 1 (except 1.18 and 1.19), 4, 10, 12 and 14; Rules 3.1-3.9, 5.3, 6.2, 7.1, 7.4, 7.5, 8.3-8.7, 13.1, 13.2 and 18.1-18.4; and deletion of Rules 3.12, 3.17 and 12.3.

(3) Amendments to the Guam Air Pollution Control Standards and Regulations submitted on April 1, 1980 by the Governor's designee.

(i) Addendum to 13.1—Compliance Order for the Guam Power Authority's Power Barge "Inductance".

(4) Amendments to the Guam Air Pollution Control Standards and Regulations submitted on January 6, 1982 by the Governor's designee.

(i) Chapter 17—Appeals Procedures, Circumvention, Severability, and Effective Date.

(5) Amendments to the Guam Air Pollution Control Standards and Regulations submitted on June 30, 1982 by the Governor's designee.

(i) "Territory of Guam NAP for SO_2," consisting of the narrative or Control Strategy portion of the Piti NAP; Addendum B, "Preliminary Results of SO_2 Dispersion Modeling;" and "Official Report of Public Hearing." The remaining portions of the addenda are for informational purposes only.

EDITORIAL NOTE: At 50 FR 2820, Jan. 22, 1985, the following paragraph (c)(5) was added to § 52.2670. This paragraph will be correctly designated by an EPA document published in the Federal Register at a later date.

(5) Amendments to the Guam Air Pollution Standards and Regulations submitted on May 22, 1984.

(i) Section X. Air Quality Surveillance Network.

(6) The following amendments to the plan were submitted on November 24, 1982, by the Governor.

(i) Negative declaration indicating no Lead Sources in Guam.

[37 FR 10904, May 31, 1972, as amended at 41 FR 8968, Mar. 2, 1976; 43 FR 48639, Oct. 19, 1978; 43 FR 59067, Dec. 19, 1978; 45 FR 14560, Mar. 6, 1980; 46 FR 26303, May 12, 1981; 47 FR 43054, Sept. 30, 1982; 49 FR 20496, May 15, 1984; 50 FR 2820, Jan. 22, 1985; 50 FR 32698, Aug. 14, 1985]

§ 52.2671 Classification of regions.

The Guam plan was evaluated on the basis of the following classifications.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Guam	III	II	III	III	III

§ 52.2672 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Guam's plan for the attainment and maintenance of the National Standards.

[46 FR 25303, May 6, 1981]

§ 52.2673 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Guam's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Guam	a	a	6/75	6/77	a	a	a

a. Air quality levels presently below secondary standards.

§ 52.2674 Maintenance of national standards.

(a) Based upon the information available to him and in accordance with EPA publication, Guidelines for Designation of Air Quality Maintenance Areas, the Administrator does not identify any areas pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of national ambient air quality standards within 10 years.

[40 FR 18737, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2675 [Reserved]

§ 52.2676 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Guam.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.2677 [Reserved]

§ 52.2678 Control strategy and regulations: Particulate matter.

(a) The requirements of § 51.110(a) and Subpart G of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standards.

(b) Chapter 6, Regulations 6.2(g)(1-3) of the "Guam Air Pollution Control Standards and Regulations" (control of open burning—agricultural crops) are disapproved since they do not provide criteria upon which to base the approval or denial of permit requests.

(c) The following rules are disapproved because they could allow an emissions increase, and a control strategy demonstration has not been submitted showing that any increased emissions would not interfere with the attainment or maintenance of the NAAQS.

(1) Rule 8.7, submitted on October 12, 1979.

[43 FR 59067, Dec. 19, 1978, as amended at 46 FR 26303, May 12, 1981; 51 FR 40676, Nov. 7, 1986]

§ 52.2679 Control strategy and regulations: Sulfur dioxide.

(a) Approvals of the following rules are limited to specific sources, since a control strategy demonstration has not been submitted showing that any increased emissions would not interfere with the attainment or maintenance of the NAAQS.

(1) Rule 13.1, submitted on October 12, 1979, for all applicable sources except the Tanguisson Power Plant.

(2) Rule 13.2, submitted on January 25, 1972, for the Tanguisson Power Plant.

(b) The following rules are disapproved because they are inconsistent with section 123(a)(2) of the Clean Air Act which requires continuous control strategies.

(1) Rule 13.2, submitted on October 12, 1979.

[46 FR 26304, May 6, 1981]

§§ 52.2680—52.2681 [Reserved]

§ 52.2682 Air quality surveillance.

(a) The requirements of § 51.27(a)(2) of this chapter as of December 19 1978 (43 FR 59067), are not met. In addition, Chapter 1, Regulation 1.8 and Chapter 5, Regulation 5.3 of the

"Guam Air Pollution Control Standards and Regulations" (buffer zones—air quality sampling) are not in conformance with the intent of the Clean Air Act and the definition of "ambient air" promulgated at § 50.1(e) of this chapter. Regulations 1.8 and 5.3 are disapproved because they could prohibit ambient air quality sampling at places of expected maximum concentration and/or at places where the public has access.

[43 FR 59067, Dec. 19, 1978, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2683 [Reserved]

§ 52.2684 Source surveillance.

(a) The requirements of § 51.214 and Appendix P of this chapter are not met since the plan does not contain sufficient regulations pertaining to continuous in-stack monitoring.

[43 FR 59067, Dec. 19, 1978, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2685 [Reserved]

§ 52.2686 Upset-breakdown reporting.

(a) Chapter 4, Regulation 4.4 of the "Guam Air Pollution Control Standards and Regulations" (reporting of upsets and breakdowns) is disapproved since criteria for further enforcement action are not specified, thus permitting the Guam Administrator unlimited discretion.

[43 FR 59067, Dec. 19, 1978]

Subpart BBB—Puerto Rico

§ 52.2720 Identification of plan.

(a) Title of plan: "Clean Air for Puerto Rico."

(b) The plan was submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the date specified.

(1) Compliance schedules submitted on April 5, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(2) Compliance schedules submitted on April 9, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(3) Compliance schedules submitted on April 17, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(4) Compliance schedules submitted on May 30, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(5) Compliance schedules submitted on June 18, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(6) Compliance schedules submitted on September 10, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(7) Compliance schedules submitted December 6, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(8) Information on procedures followed in adoption of compliance schedules submitted on February 1, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(9) Compliance schedules submitted February 7, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(10) Compliance schedules submitted February 7, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(11) Information on procedures followed in adoption of compliance schedules submitted on February 12, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(12) Information on procedures followed in adoption of compliance schedules submitted on March 13, 1974, by the Puerto Rico Environmental Quality Board.

(13) Information on procedures followed in adoption of compliance schedules submitted on March 15, 1974, by the Puerto Rico Environmental Quality Board.

(14) Information on procedures followed in adoption of compliance schedules submitted on March 20, 1974, by the Puerto Rico Environmental Quality Board.

(15) AQMA designations were submitted on May 5, 1974, by the Governor of Puerto Rico.

(16) Compliance schedules submitted June 11, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(17) Compliance schedules submitted on September 6, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(18) Revised Article 6 (Control of Sulfur Compound Emissions) was submitted on January 3, 1975, by the Governor of Puerto Rico.

(19) Public hearing information regarding revised Article 6 was submitted on January 17, 1975, by the Executive Director of the Environmental Quality Board.

(20) Information regarding Guayanilla and Aguirre Air Basins was submitted on February 14, 1975, by the Environmental Quality Board.

(21) Emission limitation for one source in the Ponce Air Basin was submitted on March 26, 1976, by the Environmental Quality Board.

(22) Predicted SO_2 concentrations for Aguirre Air Basin was submitted on May 8, 1975, by the Environmental Quality Board.

(23) Additional information regarding revised Article 6 was submitted on May 15, 1975, by the Environmental Quality Board.

(24) Predicted SO_2 ambient concentrations for Barceloneta and Ensenada submitted on June 2, 1975, by the Environmental Quality Board.

(25) Predicted SO_2 ambient concentrations for Barceloneta and Ensenada submitted on January 8, 1976, by the Environmental Quality Board.

(26) A document entitled, "Clean Air for Puerto Rico," submitted, pursuant to requirements of Part D of the Clean Air Act, on June 29, 1979 by the Governor of the Commonwealth of Puerto Rico.

(27) Supplementary submittals of SIP revision material from the Puerto Rico Environmental Quality Board, dated:

(i) October 30, 1979, containing policy statements of EQB with regard to: Its objective to attain both the primary and secondary particulate matter air quality standards by December 31, 1982, assurances with regard to meeting the requirements of reasonable further progress, verification of the detail of its annual reporting effort, clarification of the operation of its offset program and correction of the related inventory and graphical presentations.

(ii) July 24, 1980, providing a comprehensive set of adopted regulations, entitled "Regulation for the Control of Atmospheric Pollution."

(iii) August 6, 1980, providing a commitment to submit "external offsets" as SIP revisions.

(28) A submittal by the Puerto Rico Environmental Quality Board entitled, "Revised Provisions for SIP Air Quality Monitoring Plan," April 1980.

(29) Revision submitted by the Puerto Rico Environmental Quality Board on April 26, 1982, as modified by a July 8, 1982 letter, which grants a visible emissions standard variance to ovens "A" and "B" of the Owens-Illinois, Inc. Vega Alta plant. This variance remains in effect until November 2, 1985.

(30) Revision submitted on March 3, 1981 by the Commonwealth of Puerto Rico's Environmental Quality Board which establishes fuel oil sulfur content limitations (known as "sulfur assignments") applicable to the 110 sources. On October 20, 1983, 78 of these 110 sources had their sulfur assignments approved by EPA.

(31) Revision submitted on May 30, 1984 by the Commonwealth of Puerto Rico's Environmental Quality Board which establishes fuel oil sulfur content limitations (known as "sulfur assignments") applicable to the Bristol Alpha Corporation.

(32) An Implementation Plan for attainment of the lead standard was submitted on September 28, 1984 by the Chairman of the Puerto Rico Environmental Quality Board. On December 12, 1984, the Chairman submitted a schedule for establishing a program to review new sources of lead.

(33) Revision submitted by the Puerto Rico Environmental Quality Board on September 6, 1983, which grants a visible emissions variance from Commonwealth Rule 403, "Visible Emissions," from 20 percent to 45 percent for the crude unit and from 20 percent to 35 percent for the hot oil/final lube unit located at the Yabucoa Sun Oil Company's plant in Yabucoa.

(34) Revision submitted by the Puerto Rico Environmental Quality Board on December 31, 1986, which

grants a visible emissions standard variance to Owen-Illinois, Inc. Vega Alta plant.

(i) Incorporation by reference. Resolution and notification announcing a Certificate of Renewal to Commonwealth of Puerto Rico Law 403 of the Regulation for Control of Atmospheric Pollution; adopted on July 9, 1986.

(ii) Additional material. Documents submitted on December 31, 1986 in support of the above resolution.

[37 FR 10905, May 31, 1972, as amended at 41 FR 8968, Mar. 2, 1976; 41 FR 51017, Nov. 19, 1976; 45 FR 72658, Nov. 3, 1980; 46 FR 23417, Apr. 27, 1981; 48 FR 28271, June 21, 1983; 48 FR 48669, Oct. 20, 1983; 49 FR 38103, Sept. 27, 1984; 50 FR 7338, Feb. 22, 1985; 50 FR 15423, Apr. 18, 1985; 52 FR 38419, Oct. 16, 1987]

§ 52.2721 Classification of regions.

The Puerto Rico plan was evaluated on the basis of the following classifications.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Puerto Rico	IA	IA	III	III	III

[37 FR 10905, May 31, 1972]

§ 52.2722 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Puerto Rico's plans for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977.

[45 FR 72658, Nov. 3, 1980]

§ 52.2723 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information contained in the Puerto Rico plan. Further information on the specific boundaries of the "nonattainment," "unclassifiable," and "attainment" areas is found in § 81.355 of this chapter.

Air quality control region and nonattainment area	Pollutant							
	TPS		SO_x		NO_x	CO	O_x	Pb
	Primary	Secondary	Primary	Secondary				
Catano air basin	b	b	a	a	a	a	a	a
Guayanilla air basin	a	b	a	a	a	a	a	a
Remainder of Puerto Rico AQCR	a	a	a	a	a	a	a	a

NOTE 1: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out in the 1978 edition of the *Code of Federal Regulations* at 40 CFR Part 52, § 52.2723.

a. Air quality levels presently attain standards or area is unclassifiable.

b. December 31, 1982.

[45 FR 72658, Nov. 3, 1980, as amended at 50 FR 7338, Feb. 22, 1985]

§ 52.2724 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met because the State failed to submit a plan for the review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources. The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the Territory of Puerto Rico.

[39 FR 7285, Feb. 25, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2725 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met, since section 2.4 of the Puerto Rico Regulation for Control of Atmospheric Pollution could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 2.4 is disapproved.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34537, Sept. 26, 1974, as amended at 40 FR 55334, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2726 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since Article 17 of Puerto Rico Act 9 could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, Article 17 is disapproved.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2727 [Reserved]

§ 52.2728 Maintenance of national standards.

(a) The areas listed below are hereby identified by the Administrator pursuant to § 51.110 (h) and (i) of this chapter as having the potential for violation of the specified air quality standards within 10 years. The identified areas consist of the territorial area encompassed by the boundaries of the given jurisdiction or described area including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited.

(1) Ponce Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Ponce Municipality.
Juana Diaz Municipality.
Villalba Municipality.

(2) San Juan Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

San Juan Municipality.
Bayamon Municipality.
Rio Grande Municipality.
Carolina Municipality.
Catano Municipality.
Guaynabo Municipality.
Loiza Municipality.
Toa Baja Municipality.
Trujillo Alto Municipality.

(3) Caguas Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Caguas Municipality.
Gurabo Municipality.
San Lorenzo Municipality.

(4) Mayaguez Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Particulate matter.

(ii) Geographical composition of area:

Mayaguez Municipality.
Hormigueros Municipality.
Anasco Municipality.

(5) Guanica Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Sulfur oxides.

(ii) Geographical composition of area:

Guanica Municipality.

(6) Dorado Air Quality Maintenance Area.

(i) Pollutant for which the area is identified: Sulfur oxides.

(ii) Geographical composition of area:

Dorado Municipality.

(7) Guayanilla-Penuelas Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Guayanilla Municipality.
Penuelas Municipality.

(8) Lares-Utuado-Adjuntas Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Lares Municipality.
Utuado Municipality.
Adjuntas Municipality.

(9) Aguadilla Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Aguadilla Municipality.

(10) Arecibo-Barceloneta Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Arecibo Municipality.
Barceloneta Municipality.

(11) Guayama Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Guayama Municipality.

(12) Yabucoa Air Quality Maintenance Area.

(i) Pollutants for which the area is identified: Particulate matter and sulfur oxides.

(ii) Geographical composition of area:

Yabucoa Municipality.

[40 FR 18737, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2729 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Puerto Rico.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.2730 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the Commonwealth, unless otherwise noted.

PUERTO RICO

Source	Location	Regulation involved	Date accepted	Effective date	Final compliance dat
Hormigonera Oriental, Inc	Fajardo	5.2, 5.5	Apr. 4, 1973	Immediately	Apr. 30, 1973.
Hormigonera Metropolitana, Inc	Caguas	5.2, 5.5	do	do	Do.
Hormigonera, Inc	do	5.1, 5.2, 5.5	Apr. 5, 1973	do	Do.
Industria Alimenticia	Barceloneta	5.5, 8	do	do	Nov. 30, 1973.
Jocarirck	Vega Baja	5.2, 5.5	do	do	Apr. 26, 1973.
Inabon Aggregates, Inc	Coto Laurel	5.2	do	do	Mar. 31, 1973.
Ponce Asphalt, Inc.—Santa Isabela Plant.	Ponce	5.2, 5.5	do	do	Apr. 15, 1973.
Cantera Diaz, Inc	Trujillo Alto	5.2	do	do	June 15, 1973.
Inabon Asphalt, Inc	Coto Laurel	5.1, 5.2	do	do	June 1, 1973.
Betteroads Asphalt Corp., plant 2.	Aguada	5.1, 5.2	do	do	May 31, 1973.
Hormigonera, Inc., plant 6	Bayamon	5.2	Apr. 4, 1973	do	Mar. 30, 1973.
Hormigonera, Inc., plant 15	Canovanas	5.2	Apr. 5, 1973	do	Apr. 30, 1973.
Hormigonera, Inc., plant 7	Fajardo	5.2	do	do	Mar. 30, 1973.
Hormigonera, Inc., plant 5 (temporary).	Dorado	5.2	do	do	Mar. 31, 1973.
Hormigonera Oriental, Inc	Humancao	5.2	Apr. 4, 1973	do	Apr. 30, 1973.
Betteroads Asphalt Corp., plant 6.	Arecibo	5.2, 5.4	Apr. 5, 1973	do	Dec. 31, 1973.
Empresa O'Neill	Manati	5.2, 5.4	do	do	July 15, 1973.
General Electric Switchgear	Vieques	5.2, 4.1	Apr. 4, 1973	do	Mar. 16, 1973.
Terrozos Pico, Inc	Ponce	5.1, 5.2	Apr. 5, 1973	do	June 30, 1973.
South Caribe Aggregates, Inc	do	5.1, 5.2	do	do	June 20, 1973.
Rexach Block—Santurce	Santurce	5.1, 5.5	Apr. 9, 1973	do	Aug. 15, 1973.
Integrated Industries	Mayaguez	5.5	Apr. 8, 1973	do	Dec. 22, 1972.
Amrex Construction Co., Inc	Cayey	5.2	Apr. 9, 1973	do	Mar. 15, 1974.
Bloques La Plata	Toa Baja	5.2, 5.5	do	do	Apr. 30, 1973.
Rodfall Muebles	Saint Just	5.2, 5.5	do	do	Aug. 31, 1973.
South Caribe Aggregates, Inc	Juana Diaz	5.2, 5.5	do	do	June 30, 1973.
Rexach Asphalt Corp	Aguadilla	5.2	do	do	May 15, 1973.
Betteroads Asphalt Corp	Sabana Grande	5.2	do	do	Dec. 31, 1973.
Ponce Asphalt	Ponce	5.2	Apr. 8, 1973	do	Apr. 15, 1973.
Puerto Rico Aggregates	Carolina	5.2	Apr. 5, 1973	do	July 31, 1973.
Ibec Packing Co	Mayaguez	5.5, 8	Apr. 8, 1973	do	Aug. 15, 1973.
Rexach Concrete Corp	Gurubo	5.2	Apr. 9, 1973	do	May 1, 1973.
Omark Caribbean, Inc	Bayamon	5.1, 5.5	Apr. 8, 1973	do	Nov. 30, 1973.
Best Contracting Corp	Rio Piedras	5.2	Apr. 5, 1973	do	Mar. 22, 1973.
Betteroads Asphalt Corp	do	5.2	do	do	Nov. 30, 1973.
Hormigonera, Inc	do	5.1, 5.2, 5.5	do	do	Dec. 31, 1973.
Agregados Gurabo, Inc	Gurubo	5.1, 5.2, 5.5	Apr. 8, 1973	do	Mar. 12, 1973.
Rexach Aggregates Corp	Caguas	5.1, 5.2, 5.5	Apr. 9, 1973	do	Feb. 26, 1973.
Quality Concre-Mix, Inc. (Sabana Seca).	Bayamon	5.1, 5.2, 5.5	do	do	June 15, 1973.
Rexach Concrete Corp	Aguirre	5.1, 5.2, 5.5	do	do	Apr. 1, 1973.
Eli Lilly	Mayaguez	7.3	Apr. 8, 1973	do	Dec. 31, 1974.
Tito Castro Ready Mix	Ponce	5.1, 5.2, 5.5	July 23, 1973	do	Aug. 22, 1973.
Puerto Rico Concrete Products	Rio Piedras	5.2	July 5, 1973	do	Aug. 30, 1973.
Ponce Concrete Products	Ponce	5.2	do	do	Aug. 31, 1973.
Motors and Parts Distributors	Hato Rey	5.5	do	do	July 29, 1973.
Hormigonera, Inc	Rio Piedras	5.1, 5.2, 5.5	June 28, 1973	do	Dec. 31, 1973.
Inabon Ready Mix	Coto Laurel	5.1, 5.2	do	do	Apr. 27, 1973.
Union Carbide Grafito, Inc	Yabucao	5.1; 5.2	Feb. 22, 1974	do	June 30, 1974.
Hormigonera Mayaguezana	San Sebastian	5.1; 5.2	Aug. 3, 1973	do	Sept. 30, 1973.

PUERTO RICO—Continued

Source	Location	Regulation involved	Date accepted	Effective date	Final compliance date
Do	Yauco	5.1; 5.2	do	do	Do.
Do	San German	5.1; 5.2	do	do	Do.
Do	Cabo Rojo	5.1; 5.2	do	do	Do.
Do	Mayaguez	5.1; 5.2	do	do	Do.
Do	Anasco	5.1; 5.2	do	do	Do.
San Juan Cement Company, Inc	Dorado	5.1; 5.2; 5.5	Feb. 22, 1974	do	July 31, 1974.
Rexach Concrete Corp	Bayamon	5.1; 5.2	do	do	June 1, 1973.
Puerto Rico Chemical Corp	Arecibo	7.1	Jan. 23, 1974	do	June 1, 1974.
Rexach Asphalt Corp	Rio Piedras	5.1; 5.2; 5.5	May 20, 1974	do	Nov. 15, 1974.
Seberi Estates, Inc	Ponce	5.1; 5.2; 5.5	Feb. 22, 1974	do	Feb. 28, 1974.
Ramos Hermanos, Inc	Bayamon	5.1; 5.2; 5.5	do	do	Sept. 25, 1973.
Terrazos Poncenos	Ponce	5.1; 5.5; 5.2	Sept. 21, 1973	do	June 6, 1973.
Ponce Ready-Mix, Inc	do	5.1; 5.2	Feb. 22, 1974	do	Aug. 30, 1973.
Ready Mix Concrete, Inc	Carolina	5.1; 5.2; 5.5	do	do	Sept. 15, 1973.
Illumination Products, Inc	Hato Rey	5.5; 7.4; 8	May 20, 1974	do	Jan. 31, 1974.
Coop. Cafeteros de Ponce	Ponce	5.1; 5.2; 5.5	Feb. 22, 1974	do	May 31, 1974.
Conrado Forestier, Inc	Mayaguez	5.1; 5.2; 5.5	Aug. 3, 1973	do	Aug. 31, 1973.
Best Contracting Corp	Rio Piedras	5.1; 5.2; 5.5	Feb. 22, 1974	do	Mar. 22, 1973.
Cantera Ferrer, Inc	Bayamon	5.1; 5.2; 5.5	do	do	Sept. 25, 1973.
Tito Castro Ready Mix	Santa Isabel	5.1; 5.2	July 28, 1973	do	Aug. 22, 1973.
Ponce Concrete	Ponce	5.5; 5.2; 5.1	Feb. 22, 1974	do	Nov. 10, 1973.
Abbot Chemical	Barceloneta	8	Sept. 4, 1974	do	Apr. 30, 1975.
Cafe Crema Garrido	Caguas	5.5.3; 8	Aug. 27, 1974	do	Mar. 31, 1975.
Asfalto Mayaguezana, Inc	Mayaguez	5.1; 5.2	Sept. 21, 1973	do	Sept. 30, 1973.
Hormigonera Ma[illegible]guezana	Aguadilla	5.1; 5.2	Aug. 3, 1973	do	Do.

[39 FR 30833, Aug. 26, 1974, as amended at 40 FR 18551, Apr. 29, 1975. Correctly designated at 40 FR 32329, Aug. 1, 1975, and amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2731 Control strategy and regulations: Sulfur oxides.

(a) The requirements of Subpart G of this chapter are not met since the Puerto Rico plan does not provide for attainment and maintenance of the national standards for sulfur oxides in the areas of Aguirre, Barceloneta, Trujillo Alto-Dorado and Ensenada.

(b) Article 6, as submitted to EPA on January 3, 1975, of the Puerto Rico Regulations for Control of Atmospheric Pollution, as it applies to those areas listed in paragraph (a) of this section is disapproved for the following facilities: Puerto Rico Water Resources Authority—Aguirre Complex, Abbott, Merck and Company, Bristol Meyers, Pfizer, Union Carbide, Upjohn, located in the Barceloneta air basin, and Central Guanica, located in the Aquada air basin. Accordingly, these sources, with the exception of the Puerto Rico Water Resources Authority—Aguirre Complex, are required to conform to the sulfur in fuel limitations contained in Article 6 of the Puerto Rico implementation plan as submitted to EPA on January 31, 1972.

(c) On and after the effective date of this paragraph, the maximum allowable sulfur in fuel limitation, by weight, for the Puerto Rico Water Resources Authority Aguirre complex shall be 2.5 percent.

(d) The requirements of section 110 of the Clean Air Act are not met since Article 6 of the Puerto Rico Regulation for Control of Atmospheric Pollution would permit the use of stack height increases in lieu of available methods for emission reduction. Therefore, Section H of Appendix A of Article 6 of the Puerto Rico Regulation for Control of Atmospheric Pollution is disapproved to the extent that it would permit increases in stack height in lieu of available methods of emission reduction.

[40 FR 42194, Sept. 11, 1975. Correctly designated at 41 FR 24586, June 17, 1976, and amended at 51 FR 40676, Nov. 7, 1986]

Subpart CCC—Virgin Islands

SOURCE: 37 FR 10905, May 31, 1972, unless otherwise noted.

§ 52.2770 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the U.S. Virgin Islands."

(b) The plan was officially submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Procedures for making emission data available to the public submitted April 26, 1972, by the Division of Environmental Health, Virgin Islands Department of Health.

(2) Revision to construction permit regulation, Rule 12, section 206-26(a) of the Virgin Islands Rules and Regulations, submitted on August 17, 1972, by the Governor.

(3) Sections 206-30 (Review of new sources and modifications) and 206-31 (Review of new or modified indirect sources) were submitted on February 12, 1974, by the Governor of Virgin Islands.

(4) Additional information on sections 206-30 and 206-31 was submitted on April 10, 1975, by the Governor of the Virgin Islands.

(5) Exemption of the St. John Municipal Incinerator from the requirements of section 204-23, paragraph (c)(2) of the Virgin Islands Air Pollution Control Code submitted on July 9, 1975, by the Governor.

(6) Revised Section 204-26 (Sulfur Compounds Emissions Control) submitted on January 21, 1976 by the Governor of the Virgin Islands, as it applies to the islands of St. Thomas and St. John.

(7) Amended revised Section 204-26 submitted on June 3, 1976 by the Governor of the Virgin Islands, as it applies to the islands of St. Thomas and St. John.

(8) As it applies to the island of St. Croix, per an August 16, 1976 request from the Virgin Islands, revised 12 V.I.R. & R. 9:204-26 (Sulfur Compounds Emission Control) excluding subsection (a)(2), as submitted on January 21, 1976 by the Governor of the Virgin Islands.

(9) Revision submitted on August 29, 1977, by the Governor of the Virgin Islands which allows, under provisions of 12 V.I.R. & R. 9:204-26, the relaxation of the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, for the Virgin Islands Water and Power Authority's Christiansted Power Plant.

(10) Revision submitted on February 9, 1980 by the Commissioner of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands of the United States which grants an "administrative order" under Title 12 V.I.C. section 211 and Title 12 V.I.R. & R. sections 204-26(d). This "administrative order" relaxes, until one year from the date of EPA approval, the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, applicable to Martin Marietta Alumina and the Hess Oil Virgin Islands Corporation, both located in the Southern Industrial Complex on the Island of St. Croix.

(11) A document entitled "Air Monitoring Plan," November 1979, submitted on February 23, 1981, by the Virgin Islands Department of Conservation and Cultural Affairs.

(12) Revision submitted on April 9, 1981 by the Commissioner of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands of the United States which grants an "administrative order" under Title 12 V.I.C. section 211 and Title 12 V.I.R. and R. sections 204-26(d). This "administrative order" relaxes, until one year from the date of EPA approval, the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, applicable to Martin Marietta Alumina and the Hess Oil Virgin Islands Corporation, both located in the Southern Industrial Complex on the Island of St. Croix.

(13) Revision submitted on January 12, 1983 by the Commissioner of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands of the United States which grants an "administrative order" under Title 12 V.I.C. section 211 and Title 12 V.I.R. and R. sections 204-26(d). This "administrative order" relaxes, until one year from the date of EPA approval, the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, applicable to Martin Marietta Alumina and the Hess Oil Virgin Islands Corporation, both located in the Southern Industrial Complex on the Island of Saint Croix.

(14) An Implementation Plan for attainment of the lead standard was submitted by the Governor of the U.S. Virgin Islands on November 16, 1984.

(15) Revision submitted on December 1, 1983 by the Virgin Islands Department of Environmental Conservation and Cultural Affairs which grants a variance establishing, for one year from February 26, 1985, a maximum sulfur-in-fuel-oil limitation of 1.5 percent, by weight, for the Hess Oil Virgin Islands Corporation and the Martin Marietta Aluminum Properties, Inc. facilities located on the Island of Saint Croix.

(16) Revision submitted on February 11, 1986 by the Virgin Islands Department of Environmental Conservation and Cultural Affairs which grants a variance establishing, for one year from April 14, 1987, a maximum sulfur-in-fuel-oil limitation of 1.5 percent, by weight, for the Hess Oil Virgin Islands Corporation and the Martin Marietta Properties facilities located on the Island of St. Croix.

[37 FR 10905, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2770, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.2771 Classification of regions.

The U.S. Virgin Islands plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
U.S. Virgin Islands	IA	IA	III	III	III

§ 52.2772 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the U.S. Virgin Islands plan for attainment and maintenance of the national standards.

§ 52.2773 EPA-approved Virgin Islands regulations.

Territory regulation	Submission date	EPA approved date	Comments
Section 204-20, "Definition of Terms".	Jan. 31, 1972	May 31, 1972, 37 FR 10905	
Section 204-21, "Regulation to Control Open Burning".	do	do	
Section 204-22, "Regulations to Control Emissions of Visible Air Contaminants".	do	do	
Section 204-23, "Regulations Governing Emissions of Particulate Matter".	do	do	
Section 204-24, "Storage of Petroleum or Other Volatile Products".	do	do	
Section 204-25, "Preventing Particulate Matter from Becoming Air-Borne".	do	do	

Territory regulation	Submission date	EPA approved date	Comments
Section 204-26, "Sulfur Compounds Emissions Control" (expect as noted for St. Croix regarding Subsection (a)(2)).	June 3, 1976	July 12, 1976, 41 FR 28493	Subsection 204-26(a)(2) is not approved as it applies to sources on St. Croix; with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant. Applicable sulfur content limitations for sources on St. Croix, except the Christiansted Power Plant, are set out in the version of Subsection 204-26(a)(2) submitted to EPA on January 31, 1972 (See below) (40 CFR 52.2780(b)).
Section 204-26, "Sulfur Compounds Emissions Control"/ Subsection (a)(2)".	Jan. 31, 1972	May 31, 1972, 37 FR 10905	Applicable to sources on St. Croix, with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant.
Section 204-27, "Air Pollution Nuisances Prohibited".	do	do	
Section 204-28, "Internal Combustion Engine Limits".	do	do	
Section 204-29, "Upset, Breakdown or Scheduled Maintenance".	do	do	
Section 204-30, "Circumvention"	do	do	
Section 204-31, "Duty to Report Discontinuance or Dismantlement".	do	do	
Section 204-32, "Variance Clauses".	do	do	
Section 206-20, "Permits Required".	do	do	
Section 206-21, "Transfer"	do	do	
Section 206-22, "Applications"	do	do	
Section 206-23, "Cancellation of Applications".	do	do	
Section 206-24, "Provisions of Sampling and Testing Facilities".	do	do	
Section 206-25, "Standards for Granting Applications".	do	do	
Section 206-26, "Conditional Approval".	Aug. 17, 1972	Oct. 28, 1972, 37 FR 23092	
Section 206-27, "Denial of Applications".	Jan. 31, 1972	May 31, 1972, 37 FR 10905	
Section 206-28, "Further Information".	do	do	
Section 206-29, "Appeals"	do	do	
Section 206-30, "Review of New Sources and Modifications" (excluding Subsection 206-30(f)(6)).	Feb. 12, 1974	Aug. 10, 1975, 40 FR 42013	Subsection 206-30(f)(6) is disapproved since sources of minor significance are not identified in Section 206-30. A federally promulgated regulation (40 CFR 52.2775(g)), correcting this deficiency and a public participation deficiency, is applicable.
Section 204-31, "Review of New or Modified Indirect Sources".	do	do	

[46 FR 61267, Dec. 16, 1981]

§ 52.2774 [Reserved]

§ 52.2775 Review of new sources and modifications.

(a)—(d) [Reserved]

(e) The requirements of 40 CFR 51.18(h) are not met since section 206-30 of Chapter 9, Title 12 of the Virgin Islands' Code does not provide that information submitted by the owner or operator and the agency's analysis including its proposed approval/disapproval decision, be made available for public comment for a period of 30 days prior to final action.

(f) Subsection 206-30(f)(6) of section 206-30 of Chapter 9, Title 12 of the Virgin Islands' Code is disapproved since sources of minor significance are not identified in the regulation. Accordingly, all sources not listed in subsection 206-30 (f)(1) through (f)(5) will be subject to review in accordance with the requirements of section 206-30.

(g) Regulation for review of new sources and modifications.

(1) This requirement is applicable to any stationary source subject to review under section 206-30 of Chapter 9, Title 12 of the Virgin Islands' Code or 40 CFR 52.2775(f).

(2) Within 30 days after receipt of an application, the Commissioner of the Department of Conservation and Cultural Affairs, will notify the public, by prominent advertisement in the local news media, of the opportunity for public comment on the information submitted by the owner or operator.

(i) Such information, together with the Commissioner's analysis of the effect of the construction or modification on air quality including the Commissioner's proposed approval or disapproval, will be available in at least one location in the affected region.

(ii) Written public comments submitted within 30 days of the date such information is made available will be considered by the Commissioner in making his final decision on the application.

(iii) The Commissioner will make a final decision on the application within 30 days after the close of the public comment period. The Commissioner will notify the applicant in writing of his approval, conditional approval, or disapproval of the application and will set forth his reasons for conditional approval or disapproval.

(iv) A copy of the notice required by paragraph (h)(2) of this section shall also be sent to the Administrator through the appropriate regional office, and to all other State and local air pollution control agencies having jurisdiction in the region in which such new or modified installation will be located. The notice shall also be sent to any other agency in the region having responsibility for implementing the procedures required under this section.

[37 FR 10905, May 31, 1972, as amended at 40 FR 42013, Sept. 10, 1975]

§ 52.2776 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect information presented in the U.S. Virgin Islands plan.

Air quality control region	Pollutant							
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photo-chemical oxidants (hydro-carbons)	Pb
	Primary	Secondary	Primary	Secondary				
U. S. Virgin Islands	Jan. 1975	Jan. 1975	Jan. 1975	Jan. 1975	[a]	[a]	[a]	[a]

[a] Air quality levels presently below secondary standards.

[37 FR 10905, May 31, 1972, as amended at 50 FR 5237, Feb. 7, 1985]

§ 52.2777 [Reserved]

§ 52.2778 Maintenance of national standards.

(a) Based upon information available to him and in accordance with the EPA publication, Guidelines for Designation of Air Quality Maintenance Areas, the Administrator does not identify any areas pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of national ambient air quality standards within 10 years.

[40 FR 18738, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2779 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the Virgin Islands.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.2780 Control strategy for sulfur oxides.

(a) The requirements of Subpart G of this chapter are not met since there has not been a satisfactory demonstration that the Virgin Islands plan provides for the attainment and maintenance of the national ambient air quality standards for sulfur oxides on the island of St. Croix.

(b) The following parts of regulation 12 V.I.R. and R. 9:204-26, "Sulfur Compounds Emission Control," as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976 are approved:

(1) The entire regulation as it applies to the islands of St. Thomas and St. John.

(2) The entire regulation as it applies to the Virgin Islands Water and Power Authority's Christiansted Power Plant on the island of St. Croix.

(3) The entire regulation excluding subsection (a)(2) as it applies to the remaining sources on the island of St. Croix.

Subsection (a)(2) of the regulation is not approved as it applies to the remaining sources on St. Croix because of the inadequacy of the control strategy demonstration noted in paragraph (a) of this section. Accordingly, all sources on St. Croix with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant are required to conform to the sulfur-in-fuel-oil limitations contained in 12 V.I.R. and R. 9:204-26 as originally submitted to EPA on January 31, 1972.

(c) Reference to "Section (a)(2)" in subsection (d) of 12 V.I.R. and R. 9:204-26, as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976, refers to the following approved limitations: (1) For the islands of St. Thomas and St. John, subsection (a)(2) of section 204-26 as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976; (2) for the island of St. Croix, subsection (a)(2) of section 204-26 as originally submitted to EPA on January 31, 1972 and approved by EPA on May 31, 1972.

[41 FR 28493, July 12, 1976, as amended at 41 FR 55531, Dec. 21, 1976; 43 FR 4016, Jan. 31, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.2781 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the Virgin Islands.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the Virgin Islands.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

Subpart DDD—American Samoa

§ 52.2820 Identification of plan.

(a) Title of plan: "The Territory of American Samoa Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Revised legal authority submitted on March 9, 1972, by the Environmental Quality Commission.

(2) Letter indicating formal adoption of the implementation plan submitted on March 23, 1972, by the Environmental Quality Commission.

(3) Letter regarding comments on the plan and indicating intent to submit a revised plan submitted on April 28, 1972, by the Environmental Quality Commission.

(4) Formally adopted rules and regulations for the entire Territory submitted on June 8, 1972, by the Environmental Quality Commission.

(5) The following amendments to the plan were submitted on November 22, 1982, by the Governor.

(i) Negative declaration indicating no Lead sources in American Samoa.

[37 FR 10906, May 31, 1972, as amended at 41 FR 8969, Mar. 2, 1976; 50 FR 32698, Aug. 14, 1985]

§ 52.2821 Classification of regions.

The American Samoa plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
American Samoa	III	III	III	III	III

[37 FR 10906, May 31, 1972]

§ 52.2822 Approval status.

With the exceptions set forth in this subpart, the Administrator approves American Samoa's plan for the attainment and maintenance of the national standards.

[39 FR 8617, Mar. 6, 1974]

§ 52.2823 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in American Samoa's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
American Samoa	[a]	[a]	[a]	[a]	[a]	[a]	[a]

[a] Air quality levels presently below secondary standards.

[37 FR 10906, May 31, 1972]

§ 52.2824 Review of new sources and modifications.

(a) The requirements of Subpart I of this chapter are not met since the Territory of American Samoa failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources: The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the Territory of American Samoa.

[39 FR 8617, Mar. 6, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2825 [Reserved]

§ 52.2826 Maintenance of national standards.

(a) Based upon the information available to him and in accordance with EPA publication, Guidelines for Designation of Air Quality Maintenance Areas, the Administrator does not identify any areas pursuant to § 51.110 (h) and (i), of this chapter as having the potential for violation of national ambient air quality standards within 10 years.

[40 FR 18738, Apr. 29, 1975, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2827 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for American Samoa.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

Subpart EEE—Approval and Promulgation of Plans

§ 52.2850 Approval and promulgation of implementation plans.

State plans consisting of control strategies, rules, and regulations, and, in certain instances, compliance schedules, which the Administrator has determined meet the requirements of section 16 of the "Clean Air Amendments of 1970" have been approved, as follows:

DELAWARE

An implementation plan for the State's portion of the Philadelphia Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on June 30, 1970. Supplemental information was received October 20, 1970. The Administrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedule pertaining thereto.

NEW JERSEY

An implementation plan for the State's portion of the Philadelphia Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 26, 1970. Supplemental information was submitted September 23, 1970. The Administrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedule pertaining thereto.

PENNSYLVANIA

An implementation plan for the State's portion of the Philadelphia Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 4, 1970. Supplemental information was received August 4, 1970. The Administrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations pertaining thereto.

KANSAS

An implementation plan for the State's portion of the Kansas City Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on November 19, 1970. The Administrator has determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedule pertaining thereto.

VIRGINIA

An implementation plan for the State's portion of the National Capital Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on April 29, 1970. Supplemental information was received August 10 and 14, 1970. The Administrator has determined that the State's control strategy for sulfur oxides and particulate matter, as set forth in this implementation plan, is adequate for attainment of the National primary and secondary ambient air quality standards for sulfur oxides and particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedules pertaining thereto.

MARYLAND

An implementation plan for the State's portion of the National Capital Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 28, 1970. Supplemental information was submitted August 7 and 21, 1970. The Administrator has determined that the State's control strategy for sulfur oxides and particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for sulfur oxides and particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations, as well as the compliance schedule pertaining to the sulfur oxides standards.

MARYLAND

An implementation plan for the Baltimore Intrastate Air Quality Control Region was submitted to the Environmental Protection Agency on December 23, 1970. The Administrator as determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. The Administrator has also determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for particulate matter. Therefore, the Administrator has approved such control strategies, together with specified rules and regulations, as well as the compliance schedule pertaining to the sulfur oxides standards.

COLORADO

An implementation plan for the Denver Intrastate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 12, 1970, and was amended by letter dated November 10, 1970. The Administrator has determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for particulate matter. The Administrator has also determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for maintaining the national secondary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategies, together with specified rules and regulations and the compliance schedules pertaining thereto.

MISSOURI

An implementation plan for the State's portion of the Kansas City Intrastate Air Quality Control Region was received by the Department of Health, Education, and Welfare on October 14, 1970. The Administrator has determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedules pertaining thereto.

DISTRICT OF COLUMBIA

An implementation plan for the District's portion of the National Capital Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 6, 1970. Supplemental information was received August 24, 1970. The Administrator has determined that the District's control strategy for sulfur oxides and particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for sulfur oxides and particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations pertaining thereto.

MASSACHUSETTS

An implementation plan for the Boston Intrastate Air Quality Control Region was received by the Department of Health, Education, and Welfare on September 16, 1970. The Administrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedules pertaining thereto.

[37 FR 2581, Feb. 2, 1972. Redesignated at 37 FR 10846, May 31, 1972]

Subpart FFF—Commonwealth of the Northern Mariana Islands

§ 52.2900 Negative declaration.

(a) Air Pollution Implementation Plan for the Commonwealth of the Northern Mariana Islands.

(1) Letter of December 15, 1982, from the Governor to EPA, which is a negative declaration indicating no major lead sources and continued attainment and maintenance of the National Standards for lead.

[51 FR 40799, Nov. 10, 1986]

§ 52.2920 Identification of plan.

(a) Title of plan: "Air Pollution Implementation Plan for the Commonwealth of the Northern Mariana Islands.

(b) [Reserved]

(c) The plan revisions described below were officially submitted on the dates specified.

(1) On February 19, 1987 the Governor's representative submitted regulations adopted as signed on December 15, 1986 and published in the *Commonwealth Register*, Volume 9, Number 1, pages 4862-94, on January 19, 1987, as follows:

(i) *Incorporation by reference.* (A) "CNMI AIR POLLUTION CONTROL REGULATIONS" pertaining to the preconstruction review of new and modified major sources of lead, as follows.

Part I—Authority
Part II—Purpose and Policy
Part III—Policy
Part IV—Definitions
Part V—Permitting of New Sources and Modifications
Part VI—Registration of Existing Sources
Part VII—Sampling, Testing and Reporting Methods
Part IX—Fees
Part X—Public Participation
Part XI—Enforcement
Part XII—Severability
Part XIII—Effective Date
Part XIV—Certification

[52 FR 43574, Nov. 13, 1987]

APPENDIX A—INTERPRETATIVE RULI
FOR § 52.22(b)—REGULATION
REVIEW OF NEW OR MODIFIED I
RECT SOURCES

The purpose of this appendix is to
forth certain basic interpretations of
regulation for the review of new or mod
indirect sources in § 52.22(b). It is not p
ble to issue an interpretative ruling w
will answer precisely every question
will come up in the administration of
regulation. Many questions concer
whether a facility is subject to review
necessarily be answered on a case-by-
basis. Those administering the ind
source regulation should resolve doubt
close cases in favor of review since the
lation's intent is to review all ind
sources except those clearly and specif
exempted.

Since cases may arise in which devel
plan to construct projects which they
are exempt but which may be arguably
ject to the regulation, developers may
for a determination of applicability
from EPA to achieve a greater degree o
tainty in proceeding with their pro
Such rulings should be requested in w
from the appropriate regional office
quests should fully recite the facts
which the developer believes the exem
is based. In appropriate cases a rulin
be issued which will be strictly limit
the facts as understood by the Agen
construction commences in circumst
under which any material fact is at va
with those represented in the ruling r
or if a material fact were omitted fro
request, then the ruling would be re
inoperative.

One caveat should precede these int
tative rulings: the following is the Ad
trator's interpretation of his own
tion, 40 CFR 52.22(b). States which d
their own regulations which may
proved under 40 CFR § 51.18 are not
to interpret their regulations in the
manner, so long as their regulations
to insure that the national standar
not be violated as a result of the co
tion of a new indirect source.

(1) The basic focus of the regulati
review a new facility which will have
sociated parking area of the re
number of parking spaces. The li
tained in 40 CFR 52.22(b)(1)(i) is m
set of examples and should not be
phasized. The key to determining wh
cilities must be reviewed is in pa
(b)(2), which requires review of "a ne
ing facility, or other new indirect
with an associated parking area" of t
uisite size. Thus, in every case, the m
portant factor will be to determine w

an "associated parking area" of the requisite size is to be "owned and/or operated in conjunction with" a facility. To be an "associated parking area" within the intent of the regultion, the area must be a separate and discrete localized facility associated with a particular indirect source.

(2) A major area development, such as an urban renewal project, industrial park, new town, or large residential development, is not considered an indirect source itself. Rather, such a project may contain a number of indirect sources, some of which may require preconstruction review under the regulation. For example, assume that twelve blocks of a city within an SMSA are being reconstructed pursuant to a redevelopment plan and within the twelve blocks there is to be a municipal auditorium with 1,500 parking spaces underneath it, an apartment building with 300 parking spaces adjacent to it to serve its residents, a 1,200-space municipal parking garage, many townhouses with single or double private garages for the use of their owners, and 500 spaces for curbside on-street parking. The municipal auditorium and the municipal garage will each be subject to the regulation as a separate indirect source since each will have a separate and discrete associated parking area of 1,000 spaces or more. The redevelopment project itself is not an "indirect source" subject to review under the regulation, however, merely because it includes in the aggregate more than 1,000 spaces. The construction, 5 years later, of a new apartment building with an associated parking area of 600 cars within the urban renewal area will not trigger review under the regulation. First, this is not a modification of an associated parking area but rather a new separate and discrete parking area. Second, this is not an increment under § 52.22(b)(2)(iv) since it is not an addition to an existing "indirect source" within the contemplation of the regulation. On the other hand, if 500 spaces are later added to the apartment building's parking facility, this is a modification to a particular facility which triggers review. Similarly, additional spaces added to such facility from time to time will be considered as increments to that facility within the contemplation of § 52.22 (b)(2)(iv).

(3) The phrase "or facilities" is included in § 52.22(b)(1)(iii) to assure that mere physical barriers between parking areas serving a single indirect source will not operate to exclude from review what is in essence a discrete associated parking area for a single source. For example, a shopping mall which is to be constructed with 500 parking spaces on the north side of the mall and 500 spaces on the south, even though the two parking "facilities" are physically separate and do not have connecting roads between them, will be considered to have an "associated parking area" of 1,000 spaces.

(4) The term "owned and/or operated in conjunction with" which is used to defined an associated parking area is intended to convey an operational test as to whether a particular parking area serves a particular facility under a common scheme ownership and/or operation. Thus,

(i) Two parking facilities owned by the same person which are located in different areas of a city will not be considered a single associated parking area.

(ii) Parking facilities which are fortuitously constructed near an indirect source but over which the owner or operator of the source has no control, and which are not constructed pursuant to an understanding by which the facility will serve the indirect source, will not be considered an "associated parking area" of the source. For example, if a developer constructs a shopping center with 600 parking spaces and a municipality erects a 500-space parking garage adjacent to the center completely independent of the shopping center development, there is not a single 1100-space associated parking area within the contemplation of the regulation. However, if such parking garage were constructed pursuant to an explicit or even implied agreement to serve the shopping center, it would be considered part of the center's "associated parking area."

(5) It is not necessary for an "associated parking area" to be directly contiguous to an indirect source to cause that source to be subject to review. For instance, a developer could not avoid review by constructing a large retail facility on one side of the street with 40 parking spaces immediately adjacent to it, and constructing a 960-space parking facility across the street. All 1,000 spaces would be treated as an "associated parking area" within the contemplation of § 52.22(b)(1)(iii) since they are owned and/or operated in conjunction with a particular indirect source. On the other hand, parking facilities located across the street from each other which serve two separate indirect sources would not constitute a single "associated parking area."

(6) The following is a clarification of a number of issues concerning the phased development of individual indirect sources and of major area developments, such as an urban renewal project.

(i) In all cases applicants are allowed and in fact encouraged, to apply for approval of all phases of the project at the same time, so long as all the information required for the reviewing agency to perform an air quality impact analysis is provided.

(ii) Since a major area development is not in itself a discrete indirect source subject to review under the regulation, commencement of construction of one phase of such development or of a single facility within the development prior to 1975 will not operate to exempt subsequent indirect sources within such overall development plan which commence construction after 1974.

(iii) In the phased development of a single indirect source, if construction for the initial phase commences prior to 1975, additional phases would be considered modifications or increments and would require review only by addition of the requisite number of parking spaces. For example, assume that a shopping center with a 3000-space parking area began construction prior to 1975 and was to have four major "anchor" department stores in addition to dozens of smaller retail and service establishments. The plan is to build the bulk of the shopping center in the first phase, including the entire parking area, and to build two of the "anchor" stores in the second phase some time after the center begins operation. Neither phase of construction of this shopping center would require indirect source review since the first phase of construction began prior to 1975, and the second phase did not provide for the addition of the requisite number of parking spaces.

(iv) Similarly, in the phased development of a single indirect source, a break in construction between phases would not make the construction which commenced prior to 1975 "noncontinuous" and therefore subject the entire project to indirect source review, because in essence a single source (the result of the first phase) was constructed in a continuous process which commenced prior to 1975. For example, neither phase of the shopping center discussed above would be subject to review simply because there was a break in construction between the distinct phases.

(v) In cases where applicants apply for approval of all phases of a project at the same time, the information required by § 52.22(b)(3) must be submitted for each phase of the development. It is necessary that the air quality analysis be performed for each phase as it opens and not merely for the last phase. For example, assume that analysis of a phased project indicated that operation of the facility following completion of the first phase would cause a violation of the national standards, but operation following completion of the following phases would not. Approval of the project would not be granted until essential design or operational changes were made to the first phase so that the national standards would not be violated.

(7) Demolition can be considered to be a form of "site clearance" as that term is used in the definitions of the phrases "to commence construction" and "to commence modification" in § 52.22(b)(1)(v) and (vi). It is important to note, however, that demolition prior to 1975 will serve to exempt a project only where it is part of a continuous program of construction specifically designed for a particular indirect source. Thus, where a developer demolishes a structure on a particular site in 1973, then does no further physical site work until 1975, a source constructed on that site will not be exempt from review merely because the site clearance began in 1973.

(8) The *force majeure* language in § 52.22(b)(1)(v) (acts of God, litigation, strikes, etc.) applies only in the determination of whether construction of an indirect source is "continuous." Thus,

(i) The fact that construction failed to commence at all prior to 1975 because of force majeure reasons is irrelevant. Actual physical site work must commence in a continuous course before 1975 for the exemption to be valid.

(ii) Only breaks in construction attributable solely to the enumerated force majeure reasons will be considered in determining whether a project is exempt. For example, assume a developer demolished a site in 1973 and for business or other reasons discontinued actual physical construction, then planned to commence continuous construction on the site in mid-1974 but was prevented from doing so until 1975 because of litigation. The source would not be exempted from review since factors other than the force majeure reasons played a role in rendering the construction non-continuous.

(9) Section 52.22(b)(2) requires review of "any new parking facility, or other new indirect source with an associated parking area." Thus, if either the parking facility or the indirect source with the associated parking area are new, an indirect source review would be necessary. For example, if a developer who has operated a large surface parking lot for several years decided to construct an office building on part of the lot while retaining the remainder to serve as the parking lot for the building, the project would be required to undergo preconstruction review as a new indirect source. Another example is the demolition or accidental destruction of an indirect source followed by the construction of similar facility on the same parcel of land using the same parking lot. Again this new indirect source would be required to undergo preconstruction review.

(10) Indirect source approvals are full transferable between successive owners the property for which an approval is gra ed so long as the indirect source is co structed and/or modified fully in acco ance with the approved application and conditions thereto.

(11) Section 52.22(b)(9) provides that t reviewing agency may specify any operati factor which could affect air quality a

condition to approval of the permit application. Conditions which must be considered when necessary to insure attainment and maintenance of the national standards are:

(i) A requirement that the facility, or any incremental development phase, not be opened for business prior to the date specified by the reviewing agency.

(ii) Specification of the type and degree of further modification that would be subject to another review. This may include specification of fewer parking spaces than required by § 52.22(b)(2) or specifying certain structural or use changes which may increase traffic associated with the indirect source.

[39 FR 25300, July 9, 1974]

APPENDICES B-C—[RESERVED]

APPENDIX D—DETERMINATION OF SULFUR DIOXIDE EMISSIONS FROM STATIONARY SOURCES BY CONTINUOUS MONITORS

1. *Definitions.*

1.1 *Concentration Measurement System.* The total equipment required for the continuous determination of SO_2 gas concentration in a given source effluent.

1.2 *Span.* The value of sulfur dioxide concentration at which the measurement system is set to produce the maximum data display output. For the purposes of this method, the span shall be set at the expected maximum sulfur dioxide concentration except as specified under section 5.2, Field Test for Accuracy.

1.3 *Accuracy (Relative).* The degree of correctness with which the measurement system yields the value of gas concentration of a sample relative to the value given by a defined reference method. This accuracy is expressed in terms of error which is the difference between the paired concentration measurements expressed as a percentage of the mean reference value.

1.4 *Calibration Error.* The difference between the pollutant concentration indicated by the measurement system and the known concentration of the test gas mixture.

1.5 *Zero Drift.* The change in measurement system output over a stated period of time of normal continuous operation when the pollutant concentration at the time for the measurement is zero.

1.6 *Calibration Drift.* The change in measurement system output over a stated period of time of normal continuous operation when the pollutant concentration at the time of the measurement is the same known upscale value.

1.7 *Response Time.* The time interval from a step change in pollutant concentration at the input to the measurement system to the time at which 95 percent of the corresponding final value is reached as displayed on the measurement system data presentation device.

1.8 *Operational Period.* A minimum period of time over which a measurement system is expected to operate within certain performance specifications without unscheduled maintenance, repair or adjustment.

1.9 *Reference Method.* The reference method for determination of SO_2 emissions shall be Method 8 as delineated in Part 60 of this chapter. The analytical and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide, as well as isokinetic sampling, may be omitted from the overall test procedure.

2. *Principle and Applicability.*

2.1 *Principle.* Gases are continuously sampled in the stack emissions and analyzed for sulfur dioxide by a continuously operating emission measurement system. Performance specifications for the continuous measurement systems are given. Test procedures are given to determine the capability of the measurement systems to conform to the performance specifications. Sampling may include either the extractive or nonextractive (in-situ) approach.

2.2 *Applicability.* The performance specifications are given for continuous sulfur dioxide measurement systems applied to nonferrous smelters.

3. *Apparatus.*

3.1 *Calibration Gas Mixture.* Mixture of a known concentrations of sulfur dioxide in oxygen-free nitrogen. Nominal volumetric concentrations of 50 percent and 90 percent of span are recommended. The mixture of 90 percent of span is to be used to set and to check the span and is referred to as the span gas. The gas mixtures shall be analyzed by the Reference Method at least two weeks prior to use or demonstrated to be accurate and stable by an alternate method subject to approval of the Administrator.

3.2 *Zero Gas.* A gas containing less than 1 ppm sulfur dioxide.

3.3 Equipment for measurement of sulfur dioxide concentration using the Reference Method.

3.4 *Chart Record.* Analog chart recorder, input voltage range compatible with analyzer system output.

3.5 Continuous measurement system for sulfur dioxide.

4. *Measurement System Performance Specifications.*

The following performance specifications shall be met in order that a measurement system shall be considered acceptable under this method.

TABLE I—PERFORMANCE SPECIFICATIONS

Parameter [a]	Specification
1. Accuracy [a]	<20 percent of reference mean value.
2. Calibration Error [a]	<5 percent of each (50%, and 30%) calibration gas mixture.
3. Zero Drift (2-hours) [a]	<2 percent of emission standard.
4. Zero Drift (24-hours) [a]	<4 percent of emission standard.
5. Calibration Drift (2-hours) [a]	<2 percent of emission standard.
6. Calibration Drift (24-hours) [a]	<5 percent of emission standard.
7. Response Time	<5 minutes maximum.
8. Operational Period	<168 hours minimum.

[a] Expressed as sum of absolute mean value plus 95 percent confidence interval of a series of tests.

5. *Performance Specification Test Procedures.*

The following test procedures shall be used to determine compliance with the requirements of paragraph 4:

5.1 *Calibration test.*

5.1.1 Analyze each calibration gas mixture (50 percent, 90 percent) for sulfur dioxide by the Reference method and record the results on the example sheet shown in Figure D-1. This step may be omitted for nonextractive monitors where dynamic calibration gas mixtures are not used (see section 5.1.2).

5.1.2 Set up and calibrate the complete measurement system according to the manufacturer's written instructions. This may be accomplished either in the laboratory or in the field. Make a series of five nonconsecutive readings with span gas mixtures alternately at each concentration (example, 50 percent, 90 percent, 50 percent, 90 percent, 50 percent). For nonextractive measurement systems, this test may be performed using procedures specified by the manufacturer and two or more calibration gases whose concentrations are certified by the manufacturer and differ by a factor of two or more. Convert the measurement system output readings to ppm and record the results on the example sheet shown in Figure D-2.

5.2 *Field Test for Accuracy (Relative), Zero Drift and Calibration Drift.* Install and operate the measurement system in accordance with the manufacturer's written instructions and drawings as follows:

5.2.1 *Conditioning Period.* Offset the zero setting at least 10 percent of span so that negative zero drift may be quantified. Operate the system for an initial 168-hour conditioning period. During this period the system should measure the SO_2 content of the effluent in a normal operational manner.

5.2.2 *Operational Test Period.* Operate the system for an additional 168-hour period. The system shall be monitoring the source effluent at all times when not being zeroed, calibrated or backpurged.

5.2.2.1 *Field Test for Accuracy (Relative).* The analyzer output for the following test shall be maintained between 20 percent and 90 percent of span. It is recommended that a calibrated gas mixture be used to verify the span setting utilized. During this 168-hour test period, make a minimum of nine (9) SO_2 concentration measurements using the Reference Method with a sampling period of one hour. If a measurement system operates across the stack or a portion of it, the Reference Method test shall make a four-point traverse over the measurement system operating path. Isokinetic sampling and analysis for SO_2 and H_2SO_4 mist are not required. For measurement systems employing extractive sampling, place the measurement system and the Reference Method probe tips adjacent to each other in the duct. One test will consist of two simultaneous samples with not less than two analyses on each sample. Record the test data and measurement system concentrations on the example sheet shown in Figure D-3.

5.2.2.2 *Field Test for Zero Drift and Calibration Drift.* Determine the values given by zero and span gas SO_2 concentrations at 2-hour intervals until 15 sets of data are obtained. Alternatively, for nonextractive measurement systems, determine the values given by an electrically or mechanically produced zero condition, and by inserting a certified calibration gas concentration equivalent to not less than 20 percent of span, into the measurement system. Record these readings on the example sheet shown in Figure D-4. These 2-hour periods need not be consecutive but may not overlap. If the analyzer span is set at the expected maxi mum concentration for the tests performed under section 5.2.2, then the zero and spa determinations to be made under this para graph may be made concurrent with th tests under section 5.2.2.1. Zero and calibra tion corrections and adjustments are a lowed only at 24-hour intervals (except required under section 5.2.2) or at suc shorter intervals as the manufacturer's wri ten instructions specify. Automatic corre tions made by the measurement syste without operator intervention or initiatio are allowable at any time. During the enti

168-hour test period, record the values given by zero and span gas SO_2 concentrations before and after adjustment at 24-hour intervals in the example sheet shown in Figure D-5.

5.3 *Field Test for Response Time.*

5.3.1 This test shall be accomplished using the entire measurement system as installed including sample transport lines if used. Flow rates, line diameters, pumping rates, pressures (do not allow the pressurized calibration gas to change the normal operating pressure in the sample line), etc., shall be at the nominal values for normal operation as specified in the manufacturer's written instructions. In the case of cyclic analyzers, the response time test shall include one cycle.

5.3.2 Introduce a zero concentration of SO_2 into the measurement system sampling interface or as close to the sampling interface as possible. When the system output reading has stabilized, switch quickly to a known concentration of SO_2 at 70 to 90 percent of span. Record the time from concentration switching to final stable response. After the system response has stabilized at the upper level, switch quickly to a zero concentration of SO_2. Record the time from concentration switching to final stable response. Alternatively, for nonextractive monitors, a calibration gas concentration equivalent to 20 percent of span or more may be switched into and out of the sample path and response times recorded. Perform this test sequence three (3) times. For each test record the results on the example sheet shown in Figure D-6.

6. *Calculations, Data Analysis and Reporting.*

6.1 Procedure for determination of mean values and confidence intervals.

6.1.1 The mean value of a data set is calculated according to equation D-1.

Equation D-1

where:

x_i=individual values.

Σ=sum of the individual values.

$\bar{x}$=mean value.

n=number of data points.

6.1.2 The 95 percent confidence interval (two-sided) is calculated according to equation D-2.

Equation D-2

where:

Σx_i=sum of all data points.

$t_{.975}=t_{1-\alpha/2}$, and

C.I.$_{95}$=95 percent confidence interval estimated of the average mean value.

TYPICAL VALUES FOR $T_{1-\alpha/2}$

n	$t_{.975}$	n	$t_{.975}$	n	$t_{.975}$
2	12.706	7	2.447	12	2.201
3	4.303	8	2.365	13	2.179
4	3.182	9	2.306	14	2.160
5	2.776	10	2.262	15	2.145
6	2.571	11	2.228	16	2.131

The values in this table are already corrected for n-1 degrees of freedom. Use n *equal to the number of samples* as data points.

6.2 *Data Analysis and Reporting.*

6.2.1 *Accuracy (Relative).* For each of the nine reference method testing periods, determine the average sulfur dioxide concentration reported by the continuous measurement system. These average concentrations shall be determined from the measurement system data recorded under section 5.2.2.1 by integrating the pollutant concentrations over each of the time intervals concurrent with each reference method test, then dividing by the cumulative time of each applicable reference method testing period. Before proceeding to the next step, determine the basis (wet or dry) of the measurement system data and reference method test data concentrations.

If the bases are not consistent, apply a moisture correction to either the referenced method concentrations or the measurement system concentrations, as appropriate. Determine the correction factor by moisture tests concurrent with the reference method testing periods. Report the moisture test method and the correction procedure employed. For each of the nine test runs, subtract the Reference Method test concentrations from the continuous monitoring system average concentrations. Using these data, compute the mean difference and the 95 percent confidence interval using equations D-1 and D-2. Accuracy is reported as the sum of the absolute value of the mean difference and the 95 percent confidence interval expressed as a percentage of the mean reference method value. Use the example sheet shown in Figure D-3.

6.2.2 *Calibration Error.* Using the data from section 5.1 of this appendix, subtract the measured SO_2 value determined under section 5.1.1 (Figure D-1) from the value shown by the measurement system for each of the 5 readings at each concentration measured under section 5.1.2 (Figure D-2). Calculate the mean of these difference values and the 95 percent confidence intervals according to equations D-1 and D-2. The calibration error is reported as the sum of absolute value of the mean difference and the 95 percent confidence interval as a percentage of each respective calibration gas concentration. Use example sheet shown in Figure D-2.

6.2.3 *Zero Drift (2-hour).* Using the zero concentration values measured each two hours during the field test, calculate the differences between *consecutive* two-hour readings expressed in ppm. Calculate the mean difference and the confidence interval using Equations D-1 and D-2. Report the zero drift as the sum of the absolute mean value and the confidence interval as a percentage of the emission standard. Use example sheet shown in Figure D-4.

6.2.4 *Zero Drift (24-hour).* Using the zero concentration values measured every 24 hours during the field test, calculate the differences between the zero point after zero adjustment and the zero value 24 hours later just prior to zero adjustment. Calculate the mean value of these points and the confidence interval using Equations D-1 and D-2. Report the zero drift as the sum of the absolute mean and confidence interval as a percentage of the emission standard. Use example sheet shown in Figure D-5.

6.2.5 *Calibration Drift (2-hour).* Using the calibration values obtained at two-hour intervals during the field test, calculate the differences between *consecutive* two-hour readings expressed as ppm. These values should be corrected for the corresponding zero drift during that two-hour period. Calculate the mean and confidence interval of these corrected difference values using Equations D-1 and D-2. Do not use the differences between non-consecutive readings. Report the calibration drift as the sum of the absolute mean and confidence interval as a percentage of the emission standard. Use the example sheet shown in Figure D-4.

6.2.6 *Calibration Drift (24-hour).* Using the calibration values measured every 24 hours during the field test, calculate the differences between the calibration concentration reading after zero and calibration adjustment and the calibration concentration reading 24 hours later after zero adjustment but before calibration adjustment. Calculate the mean value of these differences and the confidence interval using equations D-1 and D-2. Report the sum of the absolute mean and confidence interval as a percentage of the emission standard. Use the example sheet shown in Figure D-5.

6.2.7 *Response Time.* Using the charts from section 5.3 of this Appendix, calculate the time interval from concentration switching to 95 percent to the final stable value for all upscale and downscale tests. Report the mean of the three upscale test times and the mean of the three downscale test times. For nonextractive instruments using a calibration gas cell to determine response time, the observed times shall be extrapolated to 90 percent of full scale response time. For example, if the observed time for a 20 percent of span gas cell is one minute, this would be equivalent to a 4½-minute response time when extrapolated to 90 percent of span. The two average times should not differ by more than 15 percent of the slower time. Report the slower time as the system response time. Use the example sheet shown in Figure D-6.

6.2.8 *Operational Period.* During the 168-hour performance and operational test period, the measurement system shall not require any corrective maintenance, repair, replacement, or adjustment other than that clearly specified as required in the operation and maintenance manuals as routine and expected during a one-week period. If the measurement system operates within the specified performance parameters and does not require corrective maintenance, repair, replacement or adjustment other than specified above, during the 168-hour test period, the operational period will be successfully concluded. Failure of the measurement to meet this requirement shall call for a repetition of the 168-hour test period. Portions of the test which were satisfactorily completed need not be repeated. Failure to meet any performance specifications shall call for a repetition of the one-week performance test period and that portion of the testing which is related to the failed specification. All maintenance and adjustments required shall be recorded. Output readings shall be recorded before and after all adjustments.

6.2.9 *Performance Specifications Testing Frequency.* In the event that significant repair work is performed in the system, the company shall demonstrate to the Administrator that the system still meets the performance specifications listed in Table I of this appendix. The Administrator may require a performance test at any time he determines that such test is necessary to verify the performance of the measurement system.

7. *References.*

7.1 *Monitoring Instrumentation for the Measurement of Sulfur Dioxide in Stationary Source Emissions,* Environmental Protection Agency, Research Triangle Park, N.C., February 1973.

7.2 *Instrumentation for the Determination of Nitrogen Oxides Content of Stationary Source Emissions,* Environmental Protection Agency, Research Triangle Park, N.C., APTD 0847, Vol. I, October 1971. APTD 0942, Vol. II, January 1972.

7.3 *Experimental Statistics,* Department of Commerce, Handbook 91, 1963, p. 3-31, paragraphs 3-3.1.4.

7.4 *Performance Specifications for Stationary-Source Monitoring Systems for Gases, and Visible Emissions,* Environmental Protection Agency, Research Triangle Park, N.C., EPA-650/2-74-013, January 1974.

FIGURE D-1—ANALYSIS OF CALIBRATION GAS MIXTURES

Date ——— Reference Method Used ———

Mid Range Calibration Gas Mixture

Sample 1	ppm
Sample 2	ppm
Sample 3	ppm
Average	ppm

FIGURE D-1—ANALYSIS OF CALIBRATION GAS MIXTURES—Continued

Date ——— Reference Method Used ———

High Range (span) Calibration Gas Mixture

Sample 1	ppm
Sample 2	ppm
Sample 3	ppm
Average	ppm

FIGURE D-2—CALIBRATION ERROR DETERMINATION

Calibration gas mixture data (from fig. D-1): Mid (50 percent) average —— p/m, high (90 percent) average —— p/m

[See footnotes at end of table]

Run No.	Calibration gas concentration[1]	Measurement system reading, p/m	Differences, p/m[2]
1			
2			
3			
4			
5			
6			
7			
8			
9			
1			
11			
12			
13			
14			
15			

	Percent of full scale reading	
	50% mid	90% high
Mean difference		
Confidence interval	±	±
Calibration error = Mean difference[3] + C.I. / Average calibration gas concentration × 100	%	%

[1] Mid or high.

[2] Calibration gas concentration—measurement system reading.

[3] Absolute value.

FIGURE D-3—ACCURACY

Date and time	Test No.	Reference method samples	Analyzer 1-hour average[1] (p/m)	Difference[2] (p/m)
1				
2				
3				
4				

FIGURE D-3—ACCURACY—Continued

Date and time	Test No.	Reference method samples	Analyzer 1-hour average[1] (p/m)	Difference[2] (p/m)
5				
6				
7				
8				
9				

Mean difference = ———— p/m.
95 percent confidence interval = + ———— p/m.
Mean Reference method value = ———— p/m.
Accuracy = Mean difference (absolute value) + 95 percent confidence interval/Mean reference method value × 100—— percent

---

[1] Explain method used to determine average.
[2] Difference = the 1-h average minus the reference method average.

FIGURE D-4—ZERO AND CALIBRATION DRIFT (2 H)

Date	Time		Date set No.	Zero reading	Zero drift (Δzero)	Span reading	(Δspan)	Calibration drift (Δspan-Δzero)
	Begin	End						
			1					
			2					
			3					
			4					
			5					
			6					
			7					
			8					
			9					
			10					
			11					
			12					
			13					
			14					
			15					

Zero drift = [mean zero drift[1] —— + CI (zero) —— ÷ emission standard] × 100 = ——.
Calibration drift = [mean span drift[1] —— CI + CI (span) —— ÷ emission standard] × 100 = ——.

---

[1] Absolute value.

FIGURE D-5—ZERO AND CALIBRATION DRIFT (24 HR)

Date and time	Zero reading	Zero drift (Δzero)	Span reading (after zero adjustment)	Calibration drift (Δspan

FIGURE D-5—ZERO AND CALIBRATION DRIFT (24 HR)—Continued

Date and time	Zero reading	Zero drift (Δzero)	Span reading (after zero adjustment)	Calibration drift (Δspan)

Zero drift=[mean zero drift [1] ——— + CI (zero) ——— ÷ emission standard] × 100 = ———.
Calibration drift=[mean span drift [1] ——— + CI (span) ——— ÷ emission standard] × 100 = ———.

[1] Absolute value.

FIGURE D-6—RESPONSE TIME

Date of Test ————.
Span Gas Concentration ———— ppm.
Analyzer Span Setting ———— ppm.
Upscale:
1 ———— seconds.
2 ———— seconds.
3 ———— seconds.
Average upscale response ———— seconds.
Downscale:
1 ———— seconds.
2 ———— seconds.
3 ———— seconds.
Average downscale response ———— seconds.
System response time=slower time ————seconds.

Percent deviation from slowest time=average upscale−average downscale×100%/slower time

[40 FR 5517, Feb. 6, 1975]

APPENDIX E—PERFORMANCE SPECIFICATIONS AND, SPECIFICATION TEST PROCEDURES FOR MONITORING SYSTEMS FOR EFFLUENT STREAM GAS VOLUMETRIC FLOW RATE

1. *Principle and applicability.*

1.1 *Principle.* Effluent stream gas volumetric flow rates are sampled and analyzed by a continuous measurement system. To verify the measurement system performance, values obtained from the measurement system are compared against simultaneous values obtained using the reference method. These comparison tests will be performed to determine the relative accuracy, and drift of the measurement system over the range of operating conditions expected to occur during normal operation of the source. If the measurement system is such that the specified tests in section 5.1 for drift do not apply, those test procedures shall be disregarded.

1.2 *Applicability.* This method is applicable to subparts which require continuous gas volumetric flow rate measurement. Specifications are given in terms of performance. Test procedures are given for determining compliance with performance specifications.

2. *Apparatus.*

2.1 Continuous measurement system for determining stack gas volumetric flow rate.

2.2 Equipment for measurement of stack gas volumetric flow rate as specified in the reference method.

3. *Definitions.*

3.1 *Measurement system.* The total equipment required for the determination of the gas volumetric flow rate in a duct or stack. The system consists of three major subsystems:

3.1.1 *Sampling interface.* That portion of the measurement system that performs one or more of the following operations: Delineation, acquisition, transportation, and conditioning of a signal from the stack gas and protection of the analyzer from any hostile aspects of the source environment.

3.1.2 *Analyzer.* That portion of the measurement system which senses the stack gas flow rate or velocity pressure and generates a signal output that is a function of the flow rate or velocity of the gases.

3.1.3 *Data presentation.* That portion of the measurement system that provides a display of the output signal in terms of volumetric flow rate units, or other units which are convertible to volumetric flow rate units.

3.2 *Span.* The value of gas volumetric flow rate at which the measurement system is set to produce the maximum data display output. For the purposes of this method, the span shall be set at 1.5 times the maximum volumetric flow rate expected under varying operating conditions of the source.

3.3 *Zero drift.* The change in measurement system output over a stated period of time of normal continuous operation when gas volumetric flow rate at the time of the measurements is zero.

3.4 *Calibration drift.* The change in measurement system output over a stated time period of normal continuous operation when the gas volumetric flow rate at the time of the measurement is 67 percent of the span value.

3.5 *Operation period.* A minimum period of time over which a measurement system is expected to operate within certain performance specifications without unscheduled maintenance, repair, or adjustment.

3.6 *Orientation sensitivity.* The angular tolerance to which the sensor can be misaligned from its correct orientation to measure the flow rate vector before a specified error occurs in the indicated flow rate compared to the reference flow rate.

3.7 *Reference method.* Method 2 as delineated in 40 CFR Part 60.

4. *Measurement system performance specifications.* A measurement system must meet the performance specifications in Table E-1 to be considered acceptable under this method.

TABLE E-1

Parameter	Specifications
Accuracy (relative)	<10 percent of mean reference value (paragraph 6.3.1).
Zero drift (24 hours)	<3 percent of span (paragraph 6.3.2).
Calibration drift (24 hours)	<3 percent of span (paragraph 6.3.3).
Operational period	<168 hours minimum.

5. *Test procedures.*

5.1 Field test for accuracy, zero drift, calibration drift, and operation period.

5.1.1 *System conditioning.* Set up and operate the measurement system in accordance with the manufacturer's written instructions and drawings. Offset the zero point of the chart recorder so that negative values up to 5 percent of the span value may be registered. Operate the system for an initial 168-hour conditioning period. During this initial period, the system should measure the gas stream volumetric flow rate in a normal operational manner. After completion of this conditioning period, the formal 168-hour performance and operational test period shall begin.

5.1.2 *Field test for accuracy and operational period.* During the 168-hour test period, the system should be continuously measuring gas volumetric flow rate at all times. During this period make a series of 14 volumetric flow rate determinations simultaneously using the reference method and the measurement system. The 14 determinations can be made at any time interval at least one hour apart during the 168-hour period except that at least one determination on five different days must be made with one determination on the last day of such period. The determinations shall be conducted over the range of volumetric flow rates expected to occur during normal operation of the source. The measurement system volumetric flow rate reading corresponding to the period of time during which each reference method run was made may be obtained by continuous integration of the measurement system signal over the test interval. Integration may be by use of mechanical integration of electrical units on the chart recorder or use of a planimeter on the strip chart recorder. The location and orientation of the reference method measurement device and the measurement system should be as close as practical without interference, but no closer than 1.3 cm (0.5 inch) to each other and shall be such that dilution air or other interferences cannot be interjected into the stack or duct between the pitot tube and the measurement system. Be careful not to locate the reference method pitot tube directly up or down stream of the measurement system sensor.

5.1.3 *Field test for calibration drift and zero drift.* At 24-hour intervals, but more frequently if recommended by the manufac
turer, subject the measurement system t
the manufacturer's specified zero and cali
bration procedures, if appropriate. Recor
the measurement system output reading
before and after adjustment. Automatic co
rections made by the system without opera
tor intervention are allowable at anytime.

5.1.4 *Field test for orientation sensitiv*
ty. If a velocity measurement system
either a single point measurement device
a pressure sensor or any other device su
as pitot tube which uses the flow directi
of the test gas, then the following test sh
be followed and a performance specificati
of ±10 degrees device orientation sensitivi
for ±4 percent flow rate determination
curacy must be met in order for the me
urement system to be considered acceptab
under this method. This is in addition to t
performance specifications given in pa
graph 4 of this appendix. During a period
relatively steady state gas flow, perform
following orientation test using the me
urement system. The system should be c
tinuously measuring gas velocity at
times. Rotate the measurement 10° on e
side of the direction of flow in increment
5°. Perform this test three times each at:

(1) Maximum operating velocity (±15
cent);

(2) 67 percent ±7.5 percent of the m
mum operating velocity; and

(3) 33 percent ±7.5 percent of the m
mum operating velocity if (2) and (3)
normal operating practices.

6. *Calculations data analysis and re*
ing.

6.1 *Procedure for determination of*
gas volumetric flow rate. Calculate the

erence stack gas velocity and corresponding stack gas volumetric flow rate with the calibrated type S pitot tube measurements by the reference method. Calculate the measurement system stack gas volumetric flow rate as specified by the manufacturer's written instructions. Record the volumetric flow rates for each in the appropriate tables.

6.2 *Procedure for determination of mean values and 95 percent confidence intervals.*

6.2.1 *Mean value.* The mean value of a data set is calculated according to Equation E-1.

EQUATION E-1

where:

x_i=individual values.
Σ=sum of the individual values.
$\bar{x}$=mean value.
n=data points.

6.2.2 *95 percent confidence level.* The 95 percent confidence level (two sided) is calculated according to Equation E-2.

EQUATION E-2

where:

Σx_i=sum of all data points.
(Σx_i)=sum of squares of all data points.
$C.I._{95}$=95 percent confidence interval estimate of the average mean value.

VALUES FOR $t_{.975}$

n	$t_{.975}$	n	$t_{.975}$	n	$t_{.975}$
2	12.706	7	2.447	12	2.201
3	4.303	8	2.365	13	2.179
4	3.182	9	2.306	14	2.160
5	2.776	10	2.262	15	2.145
6	2.571	11	2.228	16	2.131

The values in this table are already corrected for n-1 degrees of freedom. Use n equal to the number of samples as data points.

6.3 *Data analysis and reporting.*

6.3.1 *Accuracy (relative).* First, calculate the mean reference value (Equation E-1) of the 14 average volumetric flow rates calculated by the reference method. Second, from the 14 pairs of average volumetric flow rates calculated by the reference method and measurement system volumetric flow rate readings, calculate the mean value (Equation E-1) of the differences of the 14 paired readings. Calculate the 95 percent confidence interval (Equation E-2) using the differences of fourteen paired readings. To calculate the values in the second part of this section substitute d_i for x_i and d for x in Equations E-1 and E-2 where d_i equals the difference of each paired reading and d equals the mean value of the fourteen paired differences. Third, report the sum of the absolute mean value of the differences of the fourteen paired readings and the 95 percent confidence interval of the differences of value calculated in the first part of the section. Divide this total by the mean reference value and report the result as a percentage. This percentage is the relative accuracy.

6.3.2 *Zero drift (24 hour).* From the zero values measured each 24 hours during the field test, calculate the differences between successive readings expressed in volumetric flow rate units. Calculate the mean value of these differences and the confidence interval of these differences using Equations E-1 and E-2. Report the sum of the absolute value of the mean difference and the confidence interval as a percentage of the measurement system span. This percentage is the zero drift.

6.3.3 *Calibration drift (24 hour).* From the calibration values measured every 24 hours during the field test calculate the differences between: (1) The calibration reading after zero and calibration adjustment, and (2) the calibration reading 24 hours later after zero adjustment but before calibration adjustment. Calculate the mean value of these differences and the confidence interval using Equations E-1 and E-2. Report the sum of the absolute value of the mean difference and confidence interval as a percentage of the measurement system span. This percentage is the calibration drift.

6.3.4 *Operation period.* Other than that clearly specified as required in the operation and maintenance manual, the measurement system shall not require any corrective maintenance, repair, replacement or adjustment during the 168-hour performance and operational test period. If the measurement system operates within the specified performance parameters and does not require corrective maintenance, repair, replacement or adjustment other than as specified above during the 168-hour test period, the operational period will be successfully concluded. Failure of the measurement to meet this requirement shall call for a repetition of the 168-hour test period. Portions of the test, except for the 168-hour field test period, which were satisfactorily completed need not be repeated. Failure to meet any performance specifications shall call for a repetition of the one-week performance test period and that portion of the testing which is related to the failed specification. All maintenance and adjustments required shall be recorded. Output readings shall be recorded before and after all adjustments.

6.3.5 *Orientation sensitivity.* In the event the conditions of paragraph 5.1.4 of this appendix are required, the following calculations shall be performed. Calculate the ratio of each measurement system reading divided by the reference pitot tube readings. Graph the ratio vs. angle of deflection on each side of center. Report the points at which the ratio differs by more than ± percent from unity (1.00).

[40 FR 5521, Feb. 6, 1975]

FINDING AIDS

A list of CFR titles, subtitles, chapters, subchapters and parts and an alphabetical list of agencies publishing in the CFR are included in the CFR Index and Finding Aids volume to the Code of Federal Regulations which is published separately and revised annually.

Material Approved for Incorporation by Reference
Table of CFR Titles and Chapters
Alphabetical List of Agencies Appearing in the CFR
List of CFR Sections Affected

Material Approved for Incorporation by Reference

The Director of the Federal Register has approved under 5 U.S.C. 552(a) and 1 FR Part 51 the incorporation by reference of the following publications. This st contains only those incorporations by reference effective as of the revision ate of this volume. Incorporations by reference found within a regulation are ffective upon the effective date of that regulation. For more information on ncorporation by reference, see the preliminary pages of this volume.

0 CFR, CHAPTER I (PART 52): SUBCHAPTER C—AIR PROGRAMS
NVIRONMENTAL PROTECTION AGENCY

nvironmental Protection Agency
Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711

40 CFR

State Implementation Plans: Consisting of Original State Implementation Plans for the fifty States and the territories of Guam; Puerto Rico, Virgin Islands and American Samoa; Regulatory and Non-Regulatory Revisions to State Implementation Plans approved 1972–June 1979 (prepared by Atlantic Environmental Associates, Inc.); and Individual State Implementation Plan Revisions, which are identified below by State and date of publication of the **Federal Register** rule.

labama: Nov. 28, 1979; June 3, Aug. 11, Oct. 31, 1980; Apr. 27, Aug. 24, Sept. 17, Oct. 29, Nov. 6, Nov. 10, Nov. 24, Dec. 15, Dec. 22, Dec. 30, 1981; Feb. 22, 1982; Mar. 9, 1983; Apr. 19, 1984; Aug. 28, 1985; Feb. 10, July 11, July 14, Dec. 19, Dec. 24, 1986; Feb. 11, July 29, 1987

laska: Dec. 30, 1980; Apr. 15, 1981; July 5, 1983; Jan. 3, Apr. 24, 1984; Sept. 15, 1986

rizona: Dec. 17, 1979; Aug. 11, Oct. 10, 1980; Aug. 10, Sept. 14, Sept. 18, 1981; Apr. 12, Apr. 16, May 5, June 18, June 30, Sept. 28, 1982; Jan. 14, May 3, 1983; Oct. 19, 1984

rkansas: Jan. 29, Aug. 15, 1980; Aug. 6, Aug. 27 (2 amendments), Oct. 13, 1981; Jan. 12, Jan. 14 (2 amendments), Apr. 16, May 3, May 4, 1982; Feb. 8, 1983; Feb. 10, Aug. 4, Nov. 12, 1986

alifornia: July 30, Dec. 6, 1979; Apr. 24 (2 amendments), May 9, May 28 (2 amendments), June 3, June 4, Aug. 11 (2 amendments), Sept. 26, Oct. 24, Oct. 31, Nov. 10, Dec. 4, 1980; Jan. 16, Jan. 21, Jan. 27, Apr. 14, May 18 (2 amendments), Aug. 10, Aug. 21, Sept. 2, Sept. 28, Dec. 9, 1981; Jan. 22, Jan. 25, Jan. 28 (2 amendments), Mar. 10, Mar. 19, Mar. 29, Apr. 4, Apr. 12, Apr. 13, Apr. 23, May 3, May 7, May 27, June 9, June 18 (2 amendments), June 21, June 23, June 30, July 1, July 6, July 7, July 8, Nov. 10, Dec. 14, 1982; June 1, Oct. 11, Nov. 16, Nov. 18 (2 amendments), Nov. 22, Nov. 25, Nov. 28, Dec. 28, 1983; Feb. 1, Feb. 24, Feb. 28, Apr. 19, May 3 (3 amendments), July 12, July 30, Oct. 3, Oct. 19, Dec. 5, 1984; Jan. 24, Jan. 29, May 9, June 19, July 31, Aug. 9, Sept. 4, 1985; Jan. 7, 1986; Jan. 15, Feb. 3, Apr. 17, July 13, 1987

olorado: Oct. 5, 1979; July 9, July 16, Aug. 1, 1980; Mar. 13, Mar. 19, Apr. 30, Nov. 30, Dec. 7, 1981; Jan. 29, Sept. 28, 1982; Dec. 12, 1983; June 28, Dec. 18, 1985; Apr. 10, Sept. 2, Dec. 3, 1986; June 22, 1987

onnecticut: July 30, 1979; Dec. 23, 1980; Apr. 27, May 14, July 7, Aug. 28 (2 amendments), Oct. 23, Nov. 18, Dec. 22, 1981; Jan. 7, Feb. 17, June 7, Aug. 24, Sept. 23, Nov. 12, 1982; Feb. 8, May 4, June 28, Dec. 20, 1983; Jan. 25, Feb. 1, Mar. 21, Oct. 19, 1984; July 16, Dec. 13, 1985; Nov. 20, 1986; Feb. 19, Dec. 17, 1987; Feb. 17, Apr. 11, May 19, 1988

elaware: July 30, 1979; Mar. 6, Aug. 1, 1980; May 15, Aug. 25, Sept. 28, Sept. 30, Oct. 30, 1981; Feb. 8, 1982; Jan. 28, Sept. 21, Oct. 17, 1983; Oct. 3, 1984; July 2, 1985; Dec. 8, 1986; Dec. 28, 1987

strict of Columbia: Jan. 4, Mar. 3, 1980; Jan. 30, Aug. 3, Dec. 16, 1981; Aug. 18, 1983; June 1, Oct. 3, 1984; Apr. 10, 1986

40 CFR, CHAPTER I (PART 52): SUBCHAPTER C—AIR PROGRAMS—Continued

Florida: Feb. 29, Mar. 18, Sept. 10, Nov. 14, Dec. 16, 1980; Mar. 17, May 14, July 15, Aug. 25, Sept. 25, Oct. 28, Nov. 13, Nov. 24 (2 amendments), Dec. 15, Dec. 16, Dec. 22, 1981; Jan. 22, Mar. 3, Apr. 12, Apr. 13, May 10, June 18, July 7, July 26 (2 amendments), Aug. 16, Oct. 26, 1982; Mar. 14, May 2, July 25, July 26, Sept. 15, Nov. 17, Nov. 22, 1983; Feb. 2, 1984; Nov. 1, Dec. 23, Dec. 24, 1985; Jan. 21, 1986; Sept. 23, 1987; Mar. 29, June 30, 1988

Georgia: Sept. 18, 1979; Jan. 3, Jan. 24, 1980; Mar. 20, May 5, May 22, Aug. 6, Aug. 14, Aug. 17, Nov. 13, Nov. 15, Nov. 24, 1981; Feb. 10, Apr. 13, 1982; Nov. 10, 1983; Jan. 7, 1985; Jan. 28, 1986

Hawaii: Aug. 7, 1979; Aug. 10, 1981; Jan. 22, Sept. 30, 1982; May 19, Aug. 18, 1983

Idaho: July 30, 1979; Oct. 23, 1980; Mar. 4, 1981; July 28, 1982; May 3, 1984; June 6, 1985; June 23, 1986

Illinois: Dec. 6, 1979; Jan. 3, Feb. 21, Sept. 22, Oct. 24, 1980; Jan. 27, Mar. 4, Sept. 3, Oct. 21, Nov. 16, Nov. 27, 1981; Mar. 22, Mar. 30, May 24, June 9, June 21, Sept. 8, Oct. 29, 1982; July 6, Oct. 4, Oct. 11, 1983; Feb. 22 (2 amendments), Mar. 27, July 24, Aug. 7, Aug. 8, 1984 (2 amendments); Feb. 7, Sept. 25, Nov. 6, 1985; Mar. 31, Apr. 25 (2 amendments), June 4, Nov. 24, 1986; Jan. 14, Jan. 21, Mar. 16, May 5, Nov. 27, 1987; Feb. 12, 1988

Indiana: Jan. 2, May 19, Aug. 6, Sept. 4, Nov. 5, Nov. 27, 1981; Feb. 3, Feb. 16, Mar. 12, May 13, June 22, July 16, Sept. 29, Oct. 27, Nov. 12, 1982; Jan. 18, May 18 (2 amendments), Dec. 6, Dec. 16, 1983; Feb. 14, Mar. 13, Mar. 23, Apr. 3, Oct. 29, 1984; Apr. 17, May 1, May 17, May 22, 1985; Feb. 10, Feb. 14, Apr. 25, June 3, Nov. 24, 1986; Feb. 18, Apr. 20, June 17, Sept. 4, Dec. 10, 1987; Jan. 19, 1988

Iowa: Mar. 6, 1980, Mar. 20, Apr. 17, Oct. 21, Dec. 8, 1981; Jan. 11, Mar. 5, Apr. 12 (2 amendments), May 25, 1982; Sept. 12, 1985; July 11, 1986; June 26, 1987

Kansas: Apr. 3, Oct. 22, Dec. 15, 1981; Jan. 22, June 18, 1982; Jan. 12, Dec. 11, 1984; July 11, 1986; Jan. 2, Dec. 21, 1987; May 18, 1988

Kentucky: Jan. 25, Oct. 31, Dec. 24, 1980; June 15, Aug. 7 (2 amendments), Sept. 14, Oct. 29 (2 amendments), Nov. 16, Nov. 20, Nov. 24, Nov. 30, 1981 (2 amendments); Jan. 12, Mar. 8, Apr. 13, May 11, June 9, July 12, Aug. 10, 1982; Mar. 22, Apr. 19, May 2, May 5, 1983; Jan. 11, Mar. 23, May 3, Oct. 9, 1984; Apr. 18, 1985; Dec. 4, 1986; Feb. 2, Sept. 4, Dec. 3, 1987; Jan. 8, Apr. 8, June 21, 1988

Louisiana: Feb. 14, 1980; Aug. 6, Oct. 29, 1981; Feb. 10, Feb. 16, Apr. 14 (2 amendments), May 10, June 9, July 7, July 28, 1982; May 1, May 3, May 18, 1984; Apr. 16, 1986; Apr. 24, 1987

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Copies of the Plans listed above are available at the Environmental Protection Agency, Public Information Reference Unit, Room 2904, 401 M St., SW, Washington, DC 20460 and at the appropriate EPA Regional Office as follows:

EPA Region

I—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont—JFK Federal Bldg., Boston, MA 02203

II—New York, New Jersey, Puerto Rico, Virgin Islands—Federal Office Bldg., 26 Federal Plaza, New York, NY 10278

III—Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia—841 Chestnut St., Philadelphia, PA 19107

IV—Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee—345 Courtland St., NE., Atlanta, GA 30365

V—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin—Federal Bldg., 230 South Dearborn St., Chicago, IL 60604

VI—Arkansas, Louisiana, New Mexico, Oklahoma, Texas—1201 Elm St., Dallas, TX 7527

VII—Iowa, Kansas, Missouri, Nebraska—726 Minnesota Ave., Kansas City, KS 66101

VIII—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming—999 18th St., Denver, CO 80202

IX—Arizona, California, Hawaii, Nevada, Guam, American Samoa, Northern Mariana Islands—215 Fremont St., San Francisco, CA 94105

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X—Washington, Oregon, Idaho, Alaska—1200 6th Ave., Seattle, WA 98101

"Guideline on Air Quality Models (Revised)" (1986), and Supplement A (1987), EPA 450/2-78-027R. Copies are available at: Environmental Protection Agency Library, 401 M St., SW, Room 2904, Washington, DC 20460; Environmental Protection Agency, Office of Air Quality Planning and Standards, 411 Chapel Hill St., Durham, NC 27701	51.166(l); 52.21(l)

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Title 40 was established at 36 FR 12213, June 29, 1971. For the period before January 1, 1973, see the "List of CFR Sections Affected, 1964—1972" which is published in a separate volume.

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52.380 (d)(9)(v) removed	5724
52.420 (c)(30) added	3598
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52.470 (c)(22) added	37402
52.520 (c)(49) added	10651
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52.527 Added	52303
52.528 Revised	33868
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52.570 (c)(30) added	51623
52.620 (c)(14) added; eff. 7-18-83	22546
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52.720 (c)(42) added	31025
(c)(19) added	45246
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52.725 (b)(2) revised	45246
52.770 (c)(39) added	2127
(c)(41) added	13427
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52.770 (c)(42) added	54615
(c)(36) added	55860
52.773 (f) revised	2127
52.776 (f) and (g) added	54615
52.777 (c)(1) (i) through (iv) revised; (c)(1) (v) through (viii) added	2127
52.794 (b) added	55860
52.870 (c)(14) removed	10063
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52.1120 (c)(54) added.....19173
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52.1370 (c)(12) added.....20233
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52.1470 (c)(24)(v) added.....6106
52.1485 (c) added.....28271
52.1520 (c)(22) added.....10832
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52.1605 Table amended.....31400, 51480
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52.1627 Removed; eff. 8-1-83.....30366
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52.1770 (c)(33) added.....3599
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52.1870 (c)(50) added.....8811
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52.1881 (a) introductory text revised; (a)(9) added.....50532
52.1920 (c)(25) added.....22298
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52.1929 Revised.....38636
52.1970 (c)(59) added.....8812
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52.2058 (c) added.....31640

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52.2081 Removed; eff. 7-28-83.......... 29691
52.2084 (a) removed.......... 31027
52.2120 (c)(24) added.......... 5722
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52.2220 (c)(51) added.......... 10835
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52.2228 (c) and (d) added.......... 50080
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52.2279 Table amended.......... 45248
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52.2370 (c)(17) added.......... 38236
52.2420 (c)(73) added.......... 7580
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52.2478 Introductory text revised; table amended.......... 8275
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52.2570 (c)(28) added.......... 9862
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52.2577 Revised.......... 9862
52.2584 Added.......... 9862
52.2620 (c)(14) added.......... 16682
52.2720 (c)(29) revised.......... 28271
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52.2770 (c)(13) added.......... 9259

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52.96 (a) revised.......... 17502
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(c)(137)(ii)(C), (iii)(B), (iv)(B), (vi)(B) and (xi); (c)(140)(i)(B), (iii)(B) and (iv); (c)(148)(i)(B), (ii)(B), (iv)(B), (vi)(B) and (viii), and (c)(150)(i) and (ii).......... 39058
(c)(124)(i)(D), (127)(i)(D), (vii)(C), and (137)(vii)(B) added.......... 41028
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(a)(14)(i) removed	18830
(a)(11)(ii) revised; (a)(11)(iii) removed	30306
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52.269 (e) added	30306
52.370 (c)(31) added	3082
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52.420 (c)(33) added	39062
52.470 (c)(23) and (24) added; eff. 7-31-84	22811
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52.520 (c)(54) added	7233
52.573 Added	44464
52.670 (c)(22) added	18833
52.679 Amended	18833
52.720 (c)(46) added	6492
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52.770 (c)(19) amended	585
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52.870 (c)(15) added; (c)(14) correctly designated	1492
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52.875 Removed	1492
52.884 Revised	48186
52.920 (c)(41) added	1342
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(c)(43) added	39547
52.928 Added	11091
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52.1220 (c)(22) added	27508
52.1270 (c)(15) added	11094
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(c)(15) added	27944
(c)(13) added	28554
52.1382 (c)(4) added	4735
52.1420 (c)(29) added	29599
52.1436 Revised	29599
52.1470 (c)(27) through (30) added	6900
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52.1520 (c)(28) added	3990
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52.1674 (g) removed.......... 3436
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52.1970 (c)(65) added.......... 16780
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52.2220 (c)(54) added.......... 1343
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52.2228 (e) added.......... 31687
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52.2231 Revised; eff. 7-2-84.......... 18827
52.2270 (c)(59) added.......... 32181
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52.2273 (a) added.......... 32190
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52.2322 (j) revised.......... 28244
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52.2476 Table revised.................. 27751
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52.2620 (c)(15) added...................39844
52.2670 (c)(5) added.....................20496
52.2720 (c)(31) added...................38103
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52.27 Added..................................28551
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52.320 (c)(31) added; eff. 8-27-85...26734
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52.329 Added; eff. 8-27-85...........26734
52.344 Added.................................28553
52.370 (c)(34) added......................29230
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52.375 Added.................................10004
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52.380 (d)(11) removed.................50907
52.420 (c)(34) added......................27245
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52.672 (f) added.......... 36878
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52.680 Revised; eff. 8-5-85.......... 23811
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52.687 Removed; eff. 7-8-85.......... 19531
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52.724 (a)(2) added.......... 5250
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52.1120 (c)(64) added.......... 38805
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